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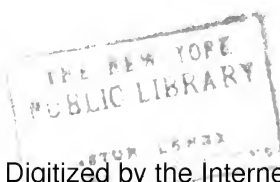
The Tribute to His Memory

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JULIEN T. DAVIES

*The Tribute
To His Memory*



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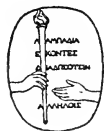
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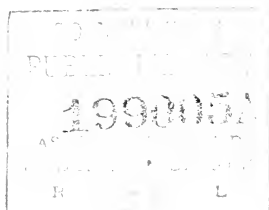
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JULIEN T. DAVIES

*The Tribute
To His Memory*



*Harper & Brothers Publishers
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MCMXXII*



JULIEN T. DAVIES

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PREFACE

SHORTLY after the death of my father, his devoted friend and partner, Mr. Auerbach, wrote for the Year Book of the Association of the Bar of the City of New York, a tribute to his memory, under the title of

JULIEN T. DAVIES

Memorial of a Leader of the Bar.

This Memorial—together with the quickening Introductory Note of Governor Nathan L. Miller—printed in a little volume and distributed by his partners among my father's family and friends, has evoked so many inspiring responses appreciative, both of my father and of the beauty of the tribute paid to his memory, that I feel no more fitting or adequate expression of his character and qualities could be given than to combine the Memorial and the letters written to its author.

PREFACE

With Mr. Auerbach's permission, I have, therefore, caused to be printed his Memorial and the letters which follow it, in order that those who knew and loved my father may know and enjoy, as companions of their own thoughts, the thoughts and estimates of others.

To Mr. Auerbach I have, at other times, endeavored, quite inadequately, to express my heartfelt gratitude for his touching and beautiful miniature of my father. To the writers of the letters which follow, this affords me the opportunity of asking them to accept this collective tribute to my father, with my own thanks and deep appreciation for the help and comfort they have brought to me in days of sorrow.

Aware of my own lack of qualifications to record an estimate of the many qualities of Mr. Auerbach's touching and discriminating Memorial, I have selected and added to the volume two reviews containing words of appreciation from those whose praise the Memorial so truly deserves.

PREFACE

I feel, however, that this foreword would be incomplete if I failed to include this letter from my father's intimate friend and partner, Mr. Hotchkiss, to Mr. Auerbach, as expressive of the feelings of myself and family and the members of the firm, of which it was my father's privilege and pride to be so long the senior member:

Your Memorial of Mr. Davies has given me the feeling that, without a labored attempt to produce a so-called 'Portrait,' you have unconsciously pictured him just as he would like to be remembered. This has been accomplished largely by the peculiarly fitting style and by the literary shading, so that the composite shows, in high relief, the legal and manly attributes with the softening shadows of those private and intimate characteristics which always contributed to his charm.

The rest of us are, and his family must be, indebted to you for recording so gracefully, and yet with such precision, those thoughts which we all have had, but which none of us could so clearly express.

I doubt if in the records of the Bar Association there be any more fitting characterization of its great men or one more fully depicting the personality of a friend.

ETHEL DAVIES THACHER.

March, 1922.

PREFATORY NOTE

By The Honorable Nathan L. Miller,
Governor of the State of New York

JULIEN TAPPAN DAVIES was a citizen of the biggest type; a typical representative of the American Bar; a successful lawyer who loved his profession for the opportunity which it gave him to develop the truth and establish justice; a loyal friend; a genial companion. He left behind him the affection and good will of all who knew him. I know of no one better able to speak of him, his work and high ideals than the author of the following Memorial.

And my sincere hope is that the preservation of the Memorial in this attractive little volume may serve as a worthy precedent for like tributes to the memory of other distinguished members of our profession.

NATHAN L. MILLER.

EXECUTIVE CHAMBER,
Albany, N. Y., April 27, 1921.

JULIEN T. DAVIES

*Memorial of a Leader
of the Bar*

By

JOSEPH S. AUERBACH

JULIEN T. DAVIES¹

Memorial of a Leader of the Bar



WHEN asked to prepare a Memorial of Julien T. Davies, I at first thought that our peculiarly intimate association as partners and friends for more than a quarter of a century might cause me to write of him too markedly under the promptings of sentiment, and that, therefore, another selection would be preferable. Nevertheless, conference with friends, and the reflection that not merely activities in Court and office are to be recounted of a Leader of the Bar who drops out of the procession of life, have persuaded me that our comradeship need not interfere with preparation of a tribute fitting to his professional eminence, responsive citizenship and exemplary character.

¹ As printed in *The Forum* and *The Year Book of the Bar Association of the City of New York* for 1921.

JULIEN T. DAVIES

In Mr. Davies, Judge Henry E. Davies reared a son who was to add distinction to the name of the father. And by reason of the precept and example of that father—whose memory to him always was a great possession—of his own intellectual equipment and the ennobling traditions of our profession, Mr. Davies united in himself those rare qualities which made him the fearless advocate and the trusted as well as resourceful adviser. Along with an almost clairvoyant insight into complicated questions of law and fact for elucidation of the truth, he had not alone an ardent sense of fidelity to the client, but of honorable obligation to the Court, of which he never failed to remember it was his privilege to be the candid officer. Never did nobleman appraise more jealously the proverbial responsibilities of rank, than did Mr. Davies the compelling ideals of his high calling. To be in doubt as to the propriety of a course of conduct was to be resolved against it; and his whole life was a rebuke of the shallow

A MEMORIAL

cynicism that the law is what is boldly asserted and plausibly maintained.

That such devotion to his profession was with him a chief article of faith, no better illustration can be given than by a quotation from his address before the Bar Association of the City of New York on the fiftieth anniversary of its existence. On that memorable occasion he was one of the few surviving founders of the Association. And though ex-Senator Root and John Proctor Clarke, the Presiding Justice of our Appellate Division, were the other speakers, the address of Mr. Davies did not suffer by comparison with what they so acceptably said.

It is difficult to conceive what could be taken from or added to this eulogy without detracting from its dignity and fitness.

In dwelling upon the work of this Association during the past fifty years in maintaining the honor and dignity of the profession of the law, naturally there arises before us some mental conception of the characteristics of that honor and dignity. Whether one contemplates a lawyer's life and work

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from the standpoint of over fifty years' experience or a few months' trial, each member of our profession must feel that he has been set apart from the mass of his fellows for a peculiar and distinct career that demands adherence to the highest standard of conduct. It is not essential to claim by comparison any superiority in usefulness or distinction of lawyers in general over those who have chosen other spheres of activities. Fifty or a hundred years ago, such a claim might have been put forth with greater force than now. The greatly increased productivity of the world, due to inventions and use of machinery and vastly greater facilities of communication and transportation, has led to such distributed possession of wealth and to such ease in its acquisition, that the brain-worker, who, if he is to be actually a lawyer, and not a broker in legal business, must pursue thought for thought's sake, and cannot accumulate largely, and in a community where the power of money is held as most desirable and admirable, must necessarily yield in importance. It is enough for us to claim that the peculiar features of our calling give to it all the honor and dignity that human nature requires for complete satisfaction. First and foremost among those characteristics is the attitude of sympathetic helpfulness that the counselor must assume towards him who applies for aid, who is never allowed to depart without receiving some thought that will assist in the disposition of the problem presented. Then comes the intellectual pleasure of the search for truth,

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for the true solution of the difficulty in the light of reason and precedent, and the glow of satisfaction with which a conclusion is reached, that satisfies the searcher and that can be defended with the strength of him who is thrice armed "who has his quarrel just."

Who can be indifferent to the charm of exercising one's persuasive and convincing powers, be they ample or limited, before court or jury, or, as more frequently occurs, upon client, associate or opponent, in the give and take of consultation? Always as a sworn officer of the Court, always, whether in argument, trial of a cause or consultation, engaged as part of the machinery for the administration of justice, always engaged in the furtherance of composition of differences and the avoidance of private warfare, always acting as a helper and a healer, what more honorable and dignified course of life can be pursued than that to which we have fortunately devoted ourselves? In recognition of all this, was this Association formed, has it for fifty years pursued its useful career, and God willing, may it be continued by our successors for the years to come.

From the day almost of his majority and admission to the Bar he was a familiar figure in the Court room, before courts of original jurisdiction and Appellate tribunals, where, not only by profound

JULIEN T. DAVIES

knowledge of legal principles and mastery of the facts, but by a general culture, he was enabled to present the finished as well as lucid argument. Nor should such an attainment be lightly passed over, for no one can justly claim that in respect of literary quality, the oral argument of counsel to-day is, as a rule, on a level with that of the advocates who were Mr. Davies' contemporaries. While he never indulged himself in rhetorical, perfervid utterance, he was truly eloquent in the phrase of vigor, and precision. Understanding full well that the language of formal argument is not wholly appropriate for colloquial interchange of views, he understood, also, that slovenly speech was to be abhorred always, and that one who persisted in a cheap expression in or out of court was likely to voice only cheap thoughts. More than once he and I have discussed the well-nigh scandalous consequences of the prevailing slothfulness in these respects. The *laudator temporis acti* or the panegyrist of *aetas parentum* is prone

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to unduly eulogistic estimate of the past. Yet concerning the ungrateful disregard we exhibit for our priceless inheritance of the English language, there is little likelihood of any statement approaching to exaggeration. And we of the Bar, if quite candid with ourselves, must admit that the ambitious address of many a trained lawyer to-day often seems to strive for rivalry and invite suggestive comparison with the jargon and slang of the street corner.

Not infrequently we are called upon to listen to the remark, for which no slight justification exists, that Judges have become intolerant of oral arguments—so infelicitously often does the lawyer acquit himself. When, however, the forceful, scholarly presentation is heard, the Court can be relied upon to welcome the novel experience, as a substantial aid in promoting a right determination of the cause and the preparation of the convincing opinion. Our universities boast of the many things they are teaching and

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of the superiority of the present-day university curriculum to that of the college of former years. Yet in the essential matter of training the undergraduate for disciplined expression they are lamentably deficient. Although none knows better than the lawyer that form is of the substance of things—to the extent of determining even the constitutionality of statutory enactment—he, at times, gives little or no adequate heed to its influential effect upon the written or oral argument.

It was an equal pleasure to hear Mr. Davies in or out of Court, with his graceful, unostentatious speech made possible by a generous vocabulary. For declamation was not less foreign to his nature than that which is popularly characterized as special pleading. Yet he never permitted himself to believe that a cause, however worthy, would necessarily argue itself or his hearer to conclude that engaging conversation was a lost art. In professional work he was not influenced, much less controlled, by promptings of

A MEMORIAL

vanity as to his personal achievement. He did not aim to feature himself as the accomplished advocate, being willing to sink his individuality in the cause he was urging; and, accordingly, victory for the client rather than applause for himself was the end sought for and so frequently gained.

It is unnecessary to enumerate all the important cases in which Mr. Davies was engaged before the Courts of this State or the Federal Courts, or to speak in detail of his other professional activities. A few illustrations will suffice.

In the early years of his practice he was required to give much of his time to the searching of titles to real estate. He was a pioneer, however, in recognizing that such work could be more acceptably done by corporations created to guarantee, as well as to search titles, and he accordingly participated in the organization of the Title Guarantee & Trust Company, of which he became, and continued until his death, to be a prominent Director.

JULIEN T. DAVIES

His notable work in matters of taxation attracted attention at the beginning of his career, and he was the author of an authoritative book on the subject. He conducted also many important litigations in this field, involving particularly taxation of the shares of National Banks; and one of the leading cases argued by him in the United States Supreme Court—*Hills v. Exchange Bank*—established the right of stockholders to deduct indebtedness from the assessed value of their shares.

He was Counsel in important cases in the United States Supreme Court involving the subject of insurance, among which are:

Mutual Life Insurance Co. *v.* Cohen,
179 U. S.

Phinney *v.* Mutual Life Insurance Co.,
178 U. S.

Other well-known cases which he argued in the Supreme Court of the United States, and in other Courts of Appeal, are:

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Rogers *v.* New York & Texas Land Co., 134 N. Y.

Matter of New York & Long Island Bridge Co., 148 N. Y.

Havana Central Railroad *v.* Knickerbocker Trust Co., 198 N. Y.

Knickerbocker Trust Co. *v.* Evans, 188 Fed.

Brushaber *v.* Union Pacific R. R. Co., 240 U. S.

Upon the failure of the firm of Grant & Ward, in 1884, of which ex-President Grant was one of the chief victims, he was appointed Receiver of its assets, a position which he held, and a trust which he discharged with signal credit.

It will be seen from this brief reference to his professional life that Mr. Davies was a general practitioner, in the old and honored sense of the term. His identification with the vast number of suits for damages against the Manhattan Railway Company by owners of property abutting on the streets, which its ele-

JULIEN T. DAVIES

vated structures occupy, should, however, be specially referred to. To carry on this exacting litigation he created a special law department, of which he was the active head; and as an illustration of the volume of the work, it should be added that for a long period the calendar of our Supreme Court of original jurisdiction was congested with these cases, and more than two thousand of them were tried at Special and Trial Terms, and nearly one thousand Appeals were argued.

The quality of the work, too, was on a par with its volume; and it is quite safe to say that but for his brilliant efforts in restricting the amounts recovered against the Company, its control would have passed permanently from its owners into the hands of judgment creditors. He obtained a decision from the Court of Appeals upholding the contention of the Company, that benefits to abutting property should be considered in the estimation of consequential damages. In

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another case, the correctness of the insistence by the Company to a prescriptive right to maintain its structures in the streets, after twenty years of unchallenged and adverse possession, was finally established. In still another case, the judgment of the Court below, denying the claim of the abutting owner to an absolute injunction against a third track upon the elevated structure, was affirmed, although it had been held that the Commissioners who authorized and approved of the third track had acted in excess of their powers. Again, he succeeded in sustaining, against the formidable objections of dissenting stockholders, the validity of the so-called Tripartite Agreement which had made possible the organization and continued existence of the Company.

Nor should reference to his identification with the resumption of business by the Knickerbocker Trust Company of New York be omitted, for the circumstance was not only of vital consequence

JULIEN T. DAVIES

to the community, but in a real sense to the country generally.

In 1907, the Knickerbocker Trust Company, with scores of millions of deposits, had failed and a national financial panic, which the suspension precipitated or materially contributed to, ensued. It was assumed by the public that the suspension would go the way of similar suspensions, and that the Receivers would distribute what remained of the assets to depositors and stockholders. A Committee on Resumption, however, was formed by prominent directors and other persons in the community, and Mr. Davies, whose firm had been Counsel to the Company, was selected as its chief adviser. Very largely by reason of his indomitable patience which partook of genius, his tact and untiring and creative energy, resumption of business by the Company was brought about, to be followed by consolidation with the Columbia Trust Company—the new company being styled the Columbia-Knickerbocker Trust Company and after-

A MEMORIAL

wards the Columbia Trust Company. There had been no instance in the history of financial institutions where a like failure was not followed by a perfunctory liquidation of the embarrassed company.

Though I have spoken of Mr. Davies' courage, its unique quality may well be emphasized; for it was not only courage in the practice of his profession but in his daily walk of life. He and fear kept no company. And it can be as truly said of Mr. Davies as it was said of Mr. Choate by Mr. Root in his illuminating Memorial Address before the Bar Association of the City of New York: "He was wholly free of any impediment of timidity. This quality did not impress one as being the kind of courage which overcomes fear, but, rather, a courage which excluded fear. With him, no such emotion as fear seemed to exist."

Once in a case of more than ordinary importance, wherein our firm represented the defendant corporation against which a mortgage lien was being foreclosed by

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one of the prominent trust companies of this city, a well-known business man had been agreed upon as Receiver of the property by the respective parties. A disturbing rumor made Counsel solicitous lest an equally well-known politician of not altogether savory record be appointed by the Court. It was determined, therefore, to discontinue the action and thus avoid the possibility of any such calamity. Accordingly, Mr. Davies, in company with the Counsel for the Trust Company, asked of the Judge before whom the application came, as was clearly the right of the litigants, that an order of discontinuance be signed forthwith. The Judge hesitated, almost to the extent of declination, and his whole attitude was fairly substantial confirmation of the rumor. Mr. Davies pressed the point and—announcing an intention to remain until the application had been granted—admonished the Judge in solemn, unequivocal language that further hesitation was not prudential. Whereupon, with no little

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unseemly display of temper, the order was signed and flung rather than handed to Mr. Davies.

He had, too, another kind of courage, such as few men have ever possessed—that imperturbable, stoic fortitude which rises superior to the grief which so often dries up the springs of endeavor and even hope. That spurious philosophy of La Rochefoucauld, which triumphs over past and future evils but which permits present evils to triumph over it, was no part of Mr. Davies' creed of life. Three of his children died in their youth, then Mrs. Davies, and later two grown sons, one a member of our firm and the other a banker, after the torture of long illness, and last, a daughter very dear to him. Yet under such cumulative affliction he did not falter but found tranquillity, and it may have been solace, in the stern summons of duty. And at the end there was but one child—a beloved daughter—to follow him to the grave. Surely life to Mr. Davies was in some respects a very grim business.

JULIEN T. DAVIES

Tenacious in receiving recognition of what was due him—over-tenacious, perhaps, from the point of view of some modern-day loose thinking on the subject—he was reciprocal in this towards others. For no persons, however humble of position, needed to plead with him for their rights, since one of the joys of his life was to accord such recognition without any plea. Once an office boy in the employ of our firm had been called to rather summary account by Mr. Davies for some supposed neglect or misconduct. It transpired that the boy was not blameworthy and I mentioned the fact to Mr. Davies, who thereupon sent for him, and, on learning the facts, not only apologized to the boy as to an equal, but criticized him because he had not on the first occasion insisted upon stating the facts. Of uniform courtesy to persons in his own walk of life, Mr. Davies never neglected to extend to all about him the little amenities of life which so many of us are disposed to forget. He loved, of all things, to

A MEMORIAL

award merited praise, and he would have been as willing to pick a pocket as to appropriate credit not belonging to himself. Nor did he ever fail of thoughtfulness to those who had ministered to his success or comfort; and to the employees of his office and of his household he made by Will generous bequests, varying with the terms of their service.

No worthy appeal to which he was able to respond was ignored; and this generosity was of that higher quality which gives abundantly of one's self. For not a few well-known lawyers of to-day can attribute some of their repute at the Bar to the fact, that Mr. Davies not only pointed out to them in youth the prudent way, but in a true sense, through sympathetic, stimulating counsel, took them by the hand and went with them part of the journey. Moreover, his abounding charity was such, that in all my years of intimacy with him I never knew him wittingly to harbor an unkind thought or a petty grievance or to utter an ungracious word.

JULIEN T. DAVIES

He had no more liking for professional altruism than for any other manifestation of pretense, nor did he crave a specious popularity gained so often at the sacrifice of one's self-respect. And though no one more than he loved the exhilaration of intercourse with friends, solitude for him was peopled by a goodly company of congenial thoughts. A man of sentiment, sentimentality was repellant to him. Spiritual in thought and often a dreamer of quickening dreams, he was practical always in the best sense; and none better than he realized that "while arrows are to be aimed at the stars, they can at the same time be shot in directions likely to transfix and bring down something for the urgent needs of earth." Accordingly he was able to say with Walt Whitman:

I am afoot with my vision.

A well-balanced man, he attained to a discriminating judgment as to men and things which often seemed unerring, and conference with him was a kind of inspira-

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tion to his associates. Devoid of sympathy or even tolerance for new-fangled notions, with little or nothing but novelty to justify their currency, he was progressive in thought and deed, whilst holding fast always to the principles and institutions which had survived the discerning test of Time. Yet if I were asked to emphasize his most distinguishing trait of character it would be his unswerving love and passion for the Truth, with which he would tolerate no paltering and no compromise. That with him was a religion.

When past middle life Mr. Davies was warned that his impaired physical health due to over-work was such that he must, if he wished to prolong his days, take up some diversion which would compel him to be out of doors. Thereupon he became an expert shot and ardent fisherman; and thereafter we, now and then when in reprehensively facetious mood, exchanged the view that in man's Constitution, too, there should be a Thirteenth Amendment. Unlike so many intellectual

JULIEN T. DAVIES

men that yield to enslaving demands upon their requisite leisure, Mr. Davies drank deep of the miraculous Chalice proffered us by Nature, wherefrom we may, if we will, receive wisdom and strength and high resolve, with the saving grace of serenity and joy. And many were the hours of delight we passed profitably together as industrious idlers in wading a trout brook or on a salmon river, in the duck blind or with gun and dog in the field. He heeded well the sanity of the injunction:

To mix his blood with sunshine and to take
The winds into his pulses.

According to his frequently voiced hope he continued always actively occupied with professional work, dying in the harness of routine, as Emerson expresses it; and to the last his mental powers and resourcefulness remained unimpaired, whether in the controversy of Court Room, in advice to client, or in consultation with associates or opponents. Nor did the advanc-

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ing years bring to him any of the gruesome thoughts catalogued in that uninviting, spiritless poem of Matthew Arnold, *Growing Old*. On a professional errand in Boston, he was stricken down with pneumonia; and afterwards, when near to recovery, a clot of blood gathering at the knee—the recurrence of an old ailment—was released, and he died of embolism of the heart. It was at Phillips House—an Annex of the Massachusetts General Hospital—overlooking the Charles River Embankment and almost out of doors with window raised and to the song of birds, that the end came in the fullness of his fruitful years.

His burial, too, in more than one regard was with the benediction of what Henley calls a shining peace. Of all sports fishing, perhaps, was most appealing to him; and he loved to carry about with him as his *vade mecum* a miniature copy of *The Compleat Angler*. One of his most cherished possessions, too, was an illustrated edition of this Wonder Book of river and stream and sky

JULIEN T. DAVIES

and of the Gospel of Recreation, which our firm had presented to him on his birthday some years ago. It was with no little emotion, therefore, that one of our firm, who had gone in advance of others with the flower-car to the family cemetery at Fishkill, witnessed and recounted to me this: An old fellow of the vicinage, with fishing basket—not the creel—on his arm, and a pole—not a rod—over his shoulder, and in typically homely attire, was, to all appearance, returning from some neighboring trout stream. After a significant pause he turned and preceded the hearse to the grave; and then with sympathetic mien and solemn step, he walked away. Perhaps it may be thought by some that this little journey of the old fisherman merely afforded him a short cut to his home, but I prefer rather to believe he was present there to wish a kindred spirit Good Luck upon the Long Journey! And when I asked of Dr. Slattery, the Rector of Grace Church—who had read the committal service and the all-embracing Gladstone prayer,

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to accompaniment of the song of a wood thrush on a near-by tree—whether he did not agree with me that Mr. Davies, in some way, somewhere, must have known of this touching incident, he expressed himself as sure it was so.

His life was one of unremitting energy—he would not wish me to say toil—and fine achievement, with many honors and not a little grievous sorrow. He contributed to the common weal from the day when, deserting his studies, he enlisted in the Civil War, to become one of the veterans of the Grand Army. Moreover, he manifested this virtue as I once said, in a Memorial Address, the late Bishop Henry C. Potter had manifested it—not only during emergencies when the volunteers are many, but likewise at ordinary times when it seems often necessary to draft even men of conscience and power into the public service. For though he neither filled nor sought to fill public office, there was no cause which made for more salutary political or social con-

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ditions that was not sure of Mr. Davies' cordial alliance and heartening co-operation. Throughout his life he fought a good fight and kept the faith; and on the monument over his grave is to be the Requiem of Stevenson, which seems especially written for him, and which he loved so much in its exquisite, stirring Homer-music setting.

Incapable intellectually of giving credence to the forbidding orthodoxy of yesterday, he was reverently religious; and his abiding trust in an eternal righteousness was disquieted neither by doubt nor by what must have seemed to him, at times, the untempered dispensations of Fate or Providence. He never permitted his sense of civic responsibility to be daunted by public apathy or error; with reassuring word and hand he lifted up many a man that had stumbled and was in sore need; of the cause of good government, under indictment by blatant or insidious demagoguery, he was the inspiring advocate; he added distinction to a

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great profession; and after his work was over, and he was able to leave to that profession and the community and to those who loved him so much, the proud legacy of an unsullied name and an unimpeachable example of right thinking and right living, he laid down his life, as the Requiem of Stevenson says, with a will.

THE REVIEWS

Of "The Memorial" *Life* said this:

This little book should serve as a model for all biographical memorials. The author, who is a master of terse English, has within a space of only 26 pages given a perfect miniature literary portrait of a great lawyer and an equally great human being.

And the *North American Review* this:

The experienced in such matters know that the hardest man to write about is the admirable man. The biographical sketch of a mighty and gifted scoundrel is a golden opportunity for the literary man and a feast for his readers. Strong contrasts are the particolored raiment of readable biography and small eccentricities are its gems. The just man seldom gets his due. No one wrote a biography of Aristides, while the sins of Alcibiades are written in gold all over the history of Athens. The life of

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Benvenuto Cellini will always be read for its entertainment and for its vivid revelations, and that of John Wilkes furnishes a biographer with many an effective opportunity for laudation.

And so Mr. Auerbach has undertaken an unusually difficult task, for the subject of his sketch is an all-round admirable man, a great and good man, not showily conspicuous, a man too like what most of us desire to be to permit of much praise without either affected eloquence or dull commonplace.

Mr. Auerbach, however, has discharged his difficult task not only with spirit, but with singular success. He says simple things well. He limns with distinguished clearness plain ideals of intellect and honor; he makes us feel that the good man, the pillar of society, the salt of the earth, is simple in principle but complex in mind, and that his problems are none of the simplest. Successful goodness, honorable success, are organized achievements, not the easy outflowing of untempted minds or

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happy dispositions; and every such accomplishment ought to stand out like a pillar of cloud by day and a pillar of fire by night.

Of Mr. Davies he says: "To be in doubt as to the propriety of a course of conduct was to be resolved against it; and his whole life was a rebuke to the shallow cynicism that the law is what is boldly asserted and plausibly maintained." It is an unobtrusively big saying, for the dry-rot in our lives is not so much rascality as cynicism and professional narrowness. And in a day in which lawyers are perhaps the least popular of expert and hard-working men, Mr. Auerbach, without at all writing *pro domo*, has truly represented the ideal of the good lawyer as approaching more nearly that of the "happy warrior" than is commonly deemed possible.

The little memorial of Julien Davies will be preserved as a just and fitting estimate, and, like few such tributes, will sometimes be read for its literary—that is, its essential—merit.

THE LETTERS



THE TRIBUTES TO HIS MEMORY

From Faneuil S. Weisse, New York, N. Y.

NEW YORK, N. Y., *August 11, 1921.*

MY DEAR MR. AUERBACH:—I read your Memorial of Mr. Davies with much interest and regret. I have known all of his children and Mr. and Mrs. Davies were friends of my parents.

Mr. Davies was a man whom we could ill afford to lose, from every standpoint.

Thank you very much for sending me the little book.

Sincerely yours,
FANEUIL S. WEISSE.

From H. Rieman Duval, New York, N. Y.

NEW YORK, *August 17, 1921.*

DEAR SIR:—I thank you very, very much for the "Memorial to the Leader of the

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Bar," my late, dear friend, Mr. Julien T. Davies, with whom, as you know, I had been associated for many years.

I appreciate and understand the tribute which the Memorial pays him, and I bear in mind the many pleasant things said about him, but particularly, a very complimentary remark which the Honorable J. Augustus Johnson made about him some years ago, in that he, Mr. Julien T. Davies, was the most influential lawyer in New York with the Courts.

Thanking you again very much, I am,
Yours sincerely,

H. RIEMAN DUVAL.

From Alfred E. Marling, New York, N. Y.

NEW YORK, N. Y., *August 17, 1921.*

GENTLEMEN:—This morning I am in receipt, with your compliments, of the very attractive Memorial to your former Senior partner, Mr. Julien T. Davies. It was my privilege to know Mr. Davies for a number of years, and I had for him the very highest regard. I shall read the Memorial with

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deepest interest, as well as continue to cherish his memory.

With renewed thanks, believe me,

Faithfully yours,

ALFRED E. MARLING.

From J. Sanford Barnes, New York, N. Y.

NEW YORK, August 18, 1921.

MY DEAR JOE:—I appreciate very highly your having sent me your Memorial of Mr. Davies. I read it as soon as it arrived yesterday. I was a great admirer of Mr. Davies for the many fine points of his character and you in the little volume have touched on each one that I knew and of course on the great many more that you, through your intimate association with him, were so familiar with. He was a fine man. I imagine that even in the excitement of trying and winning a most important case, that there appeared the tender, gentle part of his make-up, I doubt if he could keep it under cover.

Many thanks again for thinking of me.

Yours faithfully,

SANDY BARNES.

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From Edwin Thorne, New York, N. Y.

NEW YORK, *August 18, 1921.*

GENTLEMEN:—I am in receipt of the little volume containing a memorial sketch of Mr. Julien T. Davies, written by Mr. Joseph S. Auerbach of your firm, and I wish to express my particular appreciation of your thought in sending it to me. It has a double association for me in view of the fact that I had known Mr. Davies for a period of over twenty years, and his son, Julien, was one of my most intimate and esteemed friends.

With renewed thanks, I am

Yours very truly,

EDWIN THORNE.

From Adrian H. Larkin, New York, N. Y.

NEW YORK, *August 18, 1921.*

MY DEAR AUERBACH:—It was indeed good of you to send me the print of your Memorial of Davies. I shall treasure this as I do his memory. He was an able, forcible and courageous man.

Yours truly,

ADRIAN H. LARKIN.

TO HIS MEMORY

From Thomas Williams, New York, N. Y.

NEW YORK, August 19, 1921.

DEAR MR. AUERBACH:—I have read with much pleasure and appreciation your beautiful memorial to your late partner, Mr. Julien T. Davies.

It was evidently a labor of love and no one could express more felicitously the admirable traits of character possessed by Mr. Davies.

As a fellow trustee of the Mutual Life Insurance Company, I can bear witness to his delightful companionship, and it was to him that all turned when it became necessary to prepare any important resolution or express an opinion on a real problem. That he was a very busy man, we all know; and because he did all things well his talents were always in request—but it was a well-balanced life that you describe and we should all profit from the example of a man who *facile princeps* in his profession always had time for the graces and sports of life. The old adage is a good one:

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“Seven hours for work,
For healthful slumber seven,
Ten to the world allot,
And all to Heaven.”

I congratulate and thank you for this charming tribute to the memory of Mr. Davies.

Sincerely yours,
THOS. WILLIAMS.

From Frank L. Hall, New York, N. Y.

NEW YORK, August 19, 1921.

MY DEAR JOE:—Thank you for sending me your Memorial of Julien.

My thought, as I finished reading it, was “most ably done, a handsome tribute to an able, old and valued friend.”

Cordially yours,
FRANK L. HALL.

From F. S. Landstreet, New York, N. Y.

August 19, 1921.

MY DEAR JOE:—I find on my desk this morning your Memorial to Mr. Davies. While I do not fail to take into account its literary quality, yet knowing Mr. Davies

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so well and your prolonged, intimate relationship to him as partner and friend, it was the sentiment expressed and the general atmosphere of judicious admiration throughout the entire article that particularly commended themselves to me.

I congratulate you.

Yours sincerely,

F. S. LANDSTREET.

From Stewart Shillito, Cincinnati, Ohio.

CINCINNATI, OHIO, *August 19, 1921.*

DEAR MR. AUERBACH:—Your book of memorial was received this morning. It is a splendid memorial to the excellent work accomplished by Mr. Davies, and also, a fine tribute to the character of him.

Thanking you for the copy and assuring you of the appreciation of same, I am,

Yours truly,

STEWART SHILLITO.

From Jas. F. Shaw, New York, N. Y.

NEW YORK, N. Y., *August 19, 1921.*

GENTLEMEN:—Thank you for your thoughtfulness in sending me a copy of

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your Memorial to Julien T. Davies. It is indeed a fitting tribute to your distinguished associate and will, I am sure, serve to enhance the already high regard and esteem in which he has been held by all whose privilege it was to come in contact with him.

Yours faithfully,

JAS. F. SHAW.

From Wm. W. Heaton, Mamaroneck, N. Y.

MAMARONECK, N. Y., *August 20, 1921.*

DEAR JOE:—With profoundest sorrow at the recall of my great loss in the death of my long-time friend Julien, I was glad to receive your admirable eulogy of him, for you, of all his friends, knew him so well and loved him so devotedly.

In the early 'eighties, in September, I was in a canoe fishing along the rocks off Socatean Stream, leading into Moosehead Lake, when the daily steamer up the lake drew in close to me and a handsome man, with clear and singing voice called—"Is that Mr. Heaton?" "Yes," I replied. "I

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am Julien Davies, sent to you by Watson B. Dickeman and I am anxious to meet you." "This is the happy occasion, I hope. Won't you come and join me fishing and at lunch?"

We spent that day and many more later, with most excellent sport and good luck, fishing over that great inland sea, surrounded by its wondrous mountain peaks—and it has never been lessened in the forty years since—but increased in the comradeship of the Southside Club.

I think he began to fish not "when he passed middle life," for he was a fly fisherman in the 'seventies and rejoiced in the "contemplative man's recreation."

Many thanks for your book and believe me, as always.

Yours most cordially,

WM. W. HEATON.

From Bradish E. Johnson, East Islip, L. I.

EAST ISLIP, L. I., *August 20, 1921.*

DEAR MR. AUERBACH:—It was indeed thoughtful of you to have sent me a copy

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of the charming memorial of Mr. Davies, you, who, of all his friends and associates were best chosen to write. Although of a younger generation than Mr. Davies, it was my good fortune through an intimate association with his son Fred, one of whose groomsmen I was at the time of his wedding and some years later as a pallbearer at his funeral, to meet and know Mr. Davies in a thoroughly delightful way. Both Mrs. Johnson and myself always looked forward with keen pleasure to the delightful dinners we enjoyed at his hospitable house and also the not infrequent times I am glad to say, when he would come to us. Any one who had the pleasure of knowing Mr. Davies certainly, as I did, will always appreciate in having so true, and well-expressed an appreciation of him as you have so well written, and I wish to thank you very much indeed for having sent me a copy.

Hoping to see you soon, I am

Sincerely yours,

BRADISH E. JOHNSON.

TO HIS MEMORY

From W. H. Truesdale, New York, N. Y.

NEW YORK, N. Y., *August 20, 1921.*

MY DEAR MR. AUERBACH:—I have duly received, with the compliments of your firm, Davies, Auerbach & Cornell, a copy of the booklet you have written in the form of a Memorial of Mr. Julien T. Davies.

Please accept my thanks for your kindness in sending me a copy of your very admirable tribute to the memory of our late mutual friend.

Yours very truly,

W. H. TRUESDALE.

From W. S. Sullivan, New York, N. Y.

NEW YORK, N. Y., *August 22, 1921.*

DEAR MR. AUERBACH:—I am indebted to you for the pleasure I've had in reading the Memorial of Mr. Davies. It is a vivid and lifelike portrait of a very charming personality. He was a man of such endearing qualities that he will be sorely missed by all who came in contact with him, and I personally feel grateful to you for having given us this record of his life.

Yours truly,

W. S. SULLIVAN.

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From F. C. Richardson, New York, N. Y.

NEW YORK, N. Y., *August 23, 1921.*

DEAR MR. CORNELL:—The Memorial to Mr. Davies has just reached me and I am indeed gratified to have been included in its distribution.

To those of us who knew him well the Memorial adds to our appreciation, while for those less fortunate the tender tribute of Mr. Auerbach will be helpful and enlightening.

Sincerely yours,

F. C. RICHARDSON.

From Louis Stern, New York, N. Y.

NEW YORK, N. Y., *August 24, 1921.*

DEAR SIR:—I thank you for sending me a copy of the Memorial to your late colleague, Mr. Julien T. Davies, prepared by Mr. J. S. Auerbach.

It is a worthy tribute to one of the most eminent and gentlemanly members of the Bar.

Very truly yours,

LOUIS STERN.

TO HIS MEMORY

*From Dr. Brandreth Symonds, New York,
N. Y.*

NEW YORK, August 24, 1921.

I thank you very much for the Eulogy on Mr. Davies. It is a splendid presentation of the man as I knew him. It is without exaggeration and yet it glows with the clear light of truth.

When he was present at our lunch table, he was always its life, with his fund of stories, his excellent memory, and his great interest in all affairs. This was so wide and catholic that it touched everything. His descriptions were so vivid that the entire incident was portrayed before our mind's eye to our great pleasure.

Thanking you again heartily, I remain
Sincerely yours,

BRANDRETH SYMONDS.

From Walter C. Wyckoff, New York, N. Y.

NEW YORK, August 25, 1921.

DEAR MR. AUERBACH:—It was very kind of you to give me the Memorial of Mr.

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Davies, written by you. I appreciate it greatly. It is a splendid tribute to the memory of a remarkable man. There is not a word of undeserved praise in it.

His many friends will appreciate your reference to his true friendship, love of truth and fearlessness, as well as his eminent services at the Bar.

To have known him was a privilege; to have been regarded as his friend was an honor I shall always treasure. To me Mr. Davies was an inspiration. Many a time, after conferring with him at his office, I have left his room with the consciousness that I was a better man for having known him. He not only expected one's best, but he inspired one to do his best.

As a courteous gentleman, loyal friend and wise adviser, I have never met his equal, all of which you have said and said so well that I cannot refrain from expressing to you my very hearty appreciation.

Most sincerely,

WALTER C. WYCKOFF.

TO HIS MEMORY

From H. Hobart Porter, New York, N. Y.

NEW YORK, *August 26, 1921.*

MY DEAR JOE:—Your charmingly expressed tribute to Julien T. Davies touched me deeply. He was a friend of my parents and I had known him all my life and feel that it was typical of his youthful spirit and outlook that, having known him and looked up to him with the respect due to a prominent and honored member of an older generation, I could later find in him a most attractive and sympathetic companion. I had the good fortune to act as technical adviser in a difficult and complicated lawsuit which he was directing and therefore had an opportunity, not generally possible to one who was not a member of the Bar, of appreciating his very remarkable attainments.

I was his companion on an extended shooting trip and the close association was one of the most delightful experiences of my life.

Very truly yours,
H. HOBART PORTER.

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From W. B. Roulstone, New York, N. Y.

NEW YORK, *August 26, 1921.*

DEAR MR. AUERBACH:—At 4 P.M. to-day, a Memorial of Mr. Davies was handed me while in conference with an old friend of yours. I could not resist the temptation to stop and glance it through. I am taking it home this afternoon to read on the train on the way to Islip, whither your great friend and partner went so many times on his way to Great River.

I can think of no more suitable comment for me to make about him than to say that if I, a younger member of the Bar, am able hereafter to successfully emulate his splendid life at this Bar, I shall be satisfied that my life has been well and usefully spent and when the time comes shall feel content to lay my life down, as you have said, and as he did, with a will.

Sincerely yours,

W. B. ROULSTONE.

TO HIS MEMORY

From William D. Guthrie, New York, N. Y.

NEW YORK, *August 26, 1921.*

DEAR SIRs:—I thank you for your thoughtful courtesy in sending me the attractive copy of Mr. Auerbach's eloquent and inspiring Memorial of my very old friend Julien T. Davies. I had already read it and enjoyed its admirable review of a really useful and distinguished career of a very talented man and a leader of our Bar.

I first met Mr. Davies in 1880 and then saw much of him, and until his lamented death we were friends. I shall always cherish this Memorial.

Very sincerely and cordially yours,
WILLIAM D. GUTHRIE.

From Ira H. Brainerd, New York, N. Y.

NEW YORK, *August 26, 1921.*

DEAR MR. AUERBACH:—I thank you and your firm for the bound Memorial of Mr. Davies, just received. I read it with much interest in the Bar Association Annual, and it is good to have it in this firm, per-

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manent form. It will go in my continuation of my father's collection of "Tributes to Lawyers"—some twenty-five bound volumes of addresses of similar sort. I last saw Mr. Davies at the 50th Bar Assn. Anniversary, and heard his admirable historical survey—before that I attended the last banquet of the old Mount Washington Collegiate Institute boys—Mr. Davies presiding, and beside him old Mr. Charles, then over 90—and he was with us from Cocktails to Cigars.

Faithfully yours,

IRA H. BRAINERD.

From Rafael R. Govin, New York, N. Y.

NEW YORK, *August 26, 1921.*

MY DEAR MR. AUERBACH:—The reading of your Memorial to Julien T. Davies prompts me to write you a few lines to also express my appreciation and affection. In writing this letter, I am expressing my sentiments, not only as a friend, but as a client who has received valued advice, and with the feeling that it will be difficult to

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replace so wise a counsellor. His intellectual force and wonderful attainments, his natural integrity and his charming personality are all brought back to me by your Memorial and somehow it does not seem fair to me that men of that type should only have the average span of life, no longer than that of the many undeserving.

The general impression of the public that a lawyer's life means no actual contribution to the world's advancement, merely a life spent as they believe in the midst of discussions and litigations, each endeavoring to take from the other a portion of what he has, fails to take into account the constructive work of a few of the leaders of the Bar. As a client of many lawyers, I have found the public's estimation of the legal fraternity to have some basis in fact, but I have found a few, who above and beyond the realm of controversial success, have made two blades grow where one grew before.

When Julien T. Davies undertook a case he brought to it that faculty of mind which sees immediately wherein lies improve-

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ment. He had the gift of not only protecting or establishing his clients' rights, but by his work benefiting the community in increasing the efficiency of his clients' business. Bankrupt properties which, under stress of ordinary legal controversy would finally disappear as business factors, leaving men out of employment and destroying the value of years of toil, took new life under the guidance of Mr. Davies and emerged stronger from the fray, equipped to continue a prosperous career for the benefit of the world.

Julien T. Davies had, my dear Mr. Auerbach, that wonderful gift that made him not only a great lawyer in the estimation of the members of the Bar, but a constructive lawyer in the estimation of the business members of the community.

Scores of bankers and merchants of New York daily look upon the successful reorganization and re-establishment of many business ventures, brought back to life, as an enduring monument to the memory of Julien T. Davies.

TO HIS MEMORY

I am one of the many who miss him greatly as a friend and as an adviser and join in sorrow those who were closer to him and therefore more deeply feel his loss.

Very sincerely yours,
RAFAEL R. GOVIN.

From Martin Conboy, New York, N. Y.

August 26, 1921.

MY DEAR MR. AUERBACH:—I have received through the kindness of your firm the Memorial that you prepared of Mr. Julien T. Davies and beg to thank you for this permanent record of the life and accomplishments of a great lawyer.

Yours very truly,
MARTIN CONBOY.

From Henry James, New York, N. Y.

NEW YORK, August 27th.

DEAR MR. AUERBACH:—I want to acknowledge your memorial of Mr. Davies, which I've just received and read with much interest and appreciation. I never knew Mr. Davies well, but saw him occa-

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sionally at Islip during the last few years, and during the year before his death began to meet him more often at the South Side Club. I had just begun to realize how wide was the ground on which one could enjoy his society and how much I liked him when I was shocked by the news of his death. Thank you for the little book.

Yours sincerely,

HENRY JAMES.

From Theo. G. Smith, New York, N. Y.

NEW YORK, N. Y., *August 27, 1921.*

DEAR SIRS:—I am pleased to have been remembered with a copy of the beautiful Memorial to Julien T. Davies, by Mr. Joseph S. Auerbach, member of your firm. It is a splendidly written testimonial of achievement and character and will keep alive in memory the wonderful bonds of affection that business associates weave around one another.

I thank you.

Sincerely yours,

THEO. G. SMITH.

TO HIS MEMORY

From J. Noble Hayes, New York, N. Y.

NEW YORK, N. Y., *August 27, 1921.*

GENTLEMEN:—I thank you sincerely for the bound copy of Mr. Auerbach's beautiful and just Memorial of Julien T. Davies. I shall always value it highly, as I did my friendship with Mr. Davies, whom I greatly esteemed and admired as a citizen and a lawyer.

Faithfully yours,
J. NOBLE HAYES.

From Wm. B. Dean, St. Paul, Minn.

ST. PAUL, MINN., *August 28, 1921.*

MY DEAR MR. AUERBACH:—I thank you most sincerely for sending me a copy of the fitting "Memorial" of my dear friend Mr. Davies.

My acquaintance with Mr. Davies extended thro' many years and was of the intimate comradeship born in tramping the Minnesota prairies together, with dog and gun; an intimacy we both delighted to renew whenever occasion offered.

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He was the soul of honor and it was a refreshing uplift to share his genial company.

With kind regards and again thanking you,

Yours truly,

WM. B. DEAN.

From The Hon. Charles A. Peabody, Cold Spring Harbor, L. I.

COLD SPRING HARBOR, L. I., *August 28, 1921.*

DEAR MR. AUERBACH:—I thank you very much for your sketch of our friend, Julien T. Davies, and I can gladly agree with all that you say. I knew him for more than forty years, and while it was not my good fortune, during the early years to meet him on intimate terms, it so happened that during the last fifteen years, I saw him frequently and intimately, and with important interests in common.

In kindliness of personal traits of disposition you have well described him, and I need not say that his professional attain-

TO HIS MEMORY

ments were of the highest. I count myself among those who will always miss the association with one whose friendship I valued so highly.

Yours faithfully,

CHARLES A. PEABODY.

*From The Hon. Abram I. Elkus,
Red Bank, N. J.*

RED BANK, N. J., August 29, 1921.

DEAR MR. AUERBACH:—Thank you for sending me a copy of Mr. Davies' Memorial.

I knew Mr. Davies for a long time, and in the later years of his life quite thoroughly because we were both in some litigation in which we were interested, and I became well acquainted with him.

To know him as I did in this way, was to admire the fine qualities of his mind, his great abilities, and his resourcefulness.

I heard him deliver the memorable address which he did at the Bar Association.

Very sincerely yours,

ABRAM I. ELKUS.

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*From Judge Cuthbert W. Pound, Lockport,
N. Y.*

LOCKPORT, N. Y., August 29, 1921.

MY DEAR MR. AUERBACH:—I have read with pleasure your Memorial on Mr. Davies.

With rare felicity of expression you have sketched the career of a great lawyer. In doing so you have forcibly brought to the attention of the Bar the evils of slovenly speech and disregard for the rights and feelings of others, and the virtues of culture, courage and character.

Your Memorial teaches legal ethics by example rather than precept. I wish that every law teacher and student and every young lawyer might read it.

Very truly yours,

CUTHBERT W. POUND.

From Henry L. Bogert, New York, N. Y.

NEW YORK, August 29, 1921.

GENTLEMEN:—Let me thank you for a copy of Mr. Auerbach's Memorial of our late friend and brother in the profession,

TO HIS MEMORY

Julien T. Davies, for whom I entertained a high regard in common with so many of our professional brethren.

My acquaintance with Mr. Davies extended over a period beginning in the late 'seventies, and he was always the same cordial, courteous and inspiring friend and associate. Being graduates of the same college and members of the same fraternity explains a small portion of the friendly relation which existed for so many years, but the engaging and attractive qualities of Mr. Davies would have accounted for the largest portion of our friendship without these accessories.

We first met at a meeting of Columbia alumni, and the musical tenor of Mr. Davies was a material addition to the chorus in which our alma mater's songs were rendered, and the college glee club regretted that his voice was no longer available for its strictly college functions. His attendance, however, at the alumni meetings insured the success of its musical entertainment.

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The foregoing is an insignificant addition to what has been so well portrayed in the Memorial now before me, and I shall keep the volume where it may be a continual reminder of an honorable and honored friend and professional brother.

Yours very truly,

HENRY L. BOGERT.

*From Judge William J. Kelly, Brooklyn,
N. Y.*

BROOKLYN, N. Y., *August 29, 1921.*

DEAR MR. AUERBACH:—I received this morning a copy of your Memorial of Mr. Davies which I appreciate very much. It was my privilege to be a neighbor of both of you for some time in the years long ago, and to meet Mr. Davies very frequently in matters in which we were all interested. I remember his unfailing courtesy and sound practical judgment in legal matters. Your beautiful tribute recalls these pleasant memories and I thank you for sending it to me.

Very sincerely,

WILLIAM J. KELLY.

TO HIS MEMORY

From Edwin P. Shattuck, New York, N. Y.

NEW YORK, August 29, 1921.

DEAR MR. AUERBACH:—I was greatly pleased to receive to-day the bound volume containing your Memorial of Mr. Davies and I appreciate very much having been put on your list to receive it. You have spoken the heart of many of us who were fortunate enough to know Mr. Davies intimately.

With kind regards and best wishes, I am,
Faithfully yours,
EDWIN P. SHATTUCK.

*From The Hon. Robert L. Luce, New York,
N. Y.*

NEW YORK, N. Y., August 29, 1921.

MY DEAR MR. TUTTLE:—Please accept my thanks for the bound copy of Mr. Auerbach's Memorial of the late Julien T. Davies.

When I came to the City Mr. Davies was then one of the leaders of the Bar; his firm, one of the largest in the City. To the young man Mr. Davies was the embodi-

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ment of courtesy; his door was ever open to us.

It was not as a lawyer, however, I best knew him, but as one of the truest and most loyal of Psi U's. No fraternity or club function was complete without him. Mr. Auerbach has placed the fraternity under a deep obligation by preparing the Memorial and thus preserving to future generations the record of Mr. Davies' character, and particularly his loyalty to friends and principles.

Mr. Davies was always an inspiration to the young and younger men of the fraternity, and especially to

Most sincerely yours,

ROBERT L. LUCE.

*From Laurence Arnold Tanzer, New York,
N. Y.*

NEW YORK, N. Y., *August 29, 1921.*

MY DEAR MR. AUERBACH:—I appreciate highly your thoughtfulness in sending me a copy of your tribute to Mr. Davies. Like all who had the privilege of knowing him,

TO HIS MEMORY

I held him in the very highest esteem and am glad, indeed, to have your fitting discourse on such a subject.

Thanking you and with kind regards,
I am,

Yours sincerely,

LAURENCE ARNOLD TANZER.

From R. S. Lovett, New York, N. Y.

NEW YORK, N. Y., *August 29, 1921.*

DEAR SIRs:—Thank you very much for sending me Mr. Auerbach's Memorial of the late Julien T. Davies. I greatly admired Mr. Davies and am glad to have this little booklet.

Yours very truly,

R. S. LOVETT.

From Hubert T. Parson, New York, N. Y.

NEW YORK, N. Y., *August 29, 1921.*

GENTLEMEN:—I received the Memorial written by Joseph S. Auerbach on Julien T. Davies.

I appreciate having a copy of this work, and from my personal association with Mr.

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Davies I can say amen to all that Mr. Auerbach has written.

Yours truly,

H. T. PARSON.

From C. H. Tyler, Boston, Mass.

BOSTON, MASS., August 29, 1921.

MY DEAR MR. AUERBACH:—I am greatly obliged to you for the copy of your Memorial of dear Mr. Davies and I shall take it home with me to-night and read it. He was the dearest of men and I look back to many happy, happy hours with him.

Very truly yours,

C. H. TYLER.

From Charles Davies Tainter, White Plains, N. Y.

WHITE PLAINS, NEW YORK, August 29, 1921.

DEAR SIR:—I wish to thank you for the book about my uncle, Mr. Davies. I shall prize it very highly, and think it a very nice tribute to a great personality.

Yours very truly,

CHARLES DAVIES TAINTER.

TO HIS MEMORY

From John R. Hall, New York, N. Y.

NEW YORK, N. Y., *August 30, 1921.*

DEAR MR. CORNELL:—I want to thank you very much for including me in the list of names to whom your firm sent the Memorial to Mr. Julien T. Davies written by Mr. Auerbach. I have read it with great interest and profit.

It seems to me that the character, the principles, in fact the whole lives, of men like Mr. Davies should be so fully recorded that no one need lack opportunity to gain the advantages which come from the happy association which well-written biography offers. Such works always have been and continue to be a great inspiration. I do hope that Mr. Auerbach, from the data and the rich stores of information that he possesses, may find it possible to expand the memorial into a biography.

With kindest regards,

Yours sincerely,

JOHN R. HALL.

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From The Hon. William Wallace, Jr., New York, N. Y.

NEW YORK, N. Y., *August 30, 1921.*

DEAR MR. AUERBACH:—Just back from a seven weeks' cruise for health among those mountains (the Rockies) which Mr. Davies and I exploited years ago with rod and gun, I find your impressive Memorial of your partner and our common friend.

Much that you record of him I already knew. All of it is in keeping with the gentle but strong nature we understood and loved.

I write you rather than your firm because an impersonal acknowledgment would hardly suffice.

Sincerely,

WILLIAM WALLACE, JR.

From Judge A. C. Tompkins, Nyack, N. Y.

NYACK, N. Y., *August 30, 1921.*

GENTLEMEN:—I thank you very much for the volume containing Mr. Auerbach's Memorial to Julien T. Davies. I shall read it with great pleasure and interest. I had

TO HIS MEMORY

a very high regard for Mr. Davies and his character and ability.

Very truly yours,

A. C. TOMPKINS.

From Frederick R. Coudert, New York, N. Y.

NEW YORK, N. Y., *August 31, 1921.*

MY DEAR MR. AUERBACH:—Upon my return from Europe I was gratified to find a pleasant souvenir of your warm friendship in a memorial of our dear friend, Davies. You, perhaps more than any other man, had the capacity as well as the opportunity to appreciate the lovable human man that he was. I am glad that you did this highest service, and, coming from your pen, it is worthy of a man whom I looked upon as one of my oldest and dearest friends. . . . Believe me, as always,

Faithfully yours,

FREDERICK R. COUDERT.

From John G. Shedd, Chicago, Ill.

CHICAGO, ILL., *August 31, 1921.*

GENTLEMEN:—I have waited to read carefully Mr. Auerbach's beautiful Memorial

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to your partner, Julien T. Davies, a man who has added such distinction to the profession.

It seems to me no one can read this tribute without having a feeling of confidence in the integrity of the judicial branch of our government and in those who have given their lives to the high ideals of their profession.

Thanking you for favoring me with a copy of the Memorial, I am

Very sincerely,

JOHN G. SHEDD.

From A. Heckscher, New York, N. Y.

NEW YORK, N. Y., *August 31, 1921.*

DEAR MR. AUERBACH:—Many thanks for the attractive little volume which I shall take great pleasure in reading.

Active as I have been more or less in this vicinity for the last fifty years, I have known much of Mr. Davies' work and have always admired his ability.

Governor Miller is quite right: Those who have merited so well of their home city

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and of the nation at large deserve to be better remembered, than as a rule they are.

Sincerely yours,

A. HECKSCHER.

From Judge L. A. Giegerich, New York, N. Y.

NEW YORK, N. Y., August 31, 1921.

GENTLEMEN:—I want to thank you for your kindness in forwarding me a copy of the booklet entitled "Julien T. Davies, Memorial of a Leader of the Bar, by Joseph S. Auerbach," which I found most interesting and indeed a fit tribute to the memory of one of New York's most able lawyers.

Very sincerely yours,

L. A. GIEGERICH.

From Judge A. H. F. Seeger, Newburgh, N. Y.

NEWBURGH, N. Y., August 31, 1921.

GENTLEMEN:—Please accept my thanks for the copy of the beautiful Memorial to the late Julien T. Davies. It was always a pleasure to meet Mr. Davies in the Courts. I had the pleasure of hearing him argue a

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case in the Court of Appeals on my first visit to that Court many years ago and was very much interested in his argument. My case was reached while he was waiting for another case and he heard my argument. At its close he approached me and congratulated me, although we were wholly unacquainted at the time. You can imagine how much encouragement this was for a young lawyer arguing his first case in the Court of Appeals. His courtesy made a great impression upon me at that time.

Thanking you again, I remain,

Very truly yours,

A. H. F. SEEGER.

From Wm. A. Hutcheson, New York, N. Y.

NEW YORK, N. Y., *August 31, 1921.*

MY DEAR MR. AUERBACH:—It was very good of you to send me a copy of “Memorial of a Leader of the Bar” prepared by you regarding the late Julien T. Davies.

My acquaintance with Mr. Davies began nearly twenty years ago shortly after I came

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to this Company. During a greater part of that time I saw him constantly in the office; sometimes at our Trustees' meetings and almost daily at our lunch table. I had opportunity of seeing Mr. Davies therefore at close quarters and wish to congratulate you on the Memorial which you have prepared.

Mr. Davies' connection with this Company ran back somewhere about fifty years, and from the position of a young lawyer looking after its less important legal affairs, he soon rose to be one of its most important Trustees and advisers—positions which he occupied until his death. It is easy to imagine the information which he gathered regarding the Company during that long period, and those who knew Mr. Davies can readily understand how generously and delightfully he gave of his store of knowledge to those of us who had joined the Company more recently.

Mr. Davies was widely known throughout the office; those of us who had business dealings with him had opportunities

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of judging of his business sagacity and of seeing his invariable tact. Many others in the Company, however, simply knew him as the genial, kindly Trustee who was a part of the Company and who had a kind word for all.

With kindest regards, believe me

Very sincerely yours,

WM. A. HUTCHESON.

*From William Frederick Dix, New York,
N. Y.*

NEW YORK, N. Y., *August 31, 1921.*

MY DEAR MR. AUERBACH:—I have read with the greatest interest and appreciation your sympathetic and illuminating tribute to our much beloved trustee, Julien T. Davies, whose death was so mourned by us all. Your estimate of his character and personality was most discerning and just, the facts you give as to the activities of his long and useful life most interesting, and I want to congratulate you upon this labor of love to your former partner.

TO HIS MEMORY

Mr. Davies endeared himself to all the officers of this Company. He lunched with us regularly and we all looked upon him as a warm and loyal friend and a witty and delightful companion. His services as a Trustee were distinguished and invaluable.

Thank you very much for the Memorial.

Sincerely yours,

WILLIAM FREDERICK DIX.

From The Hon. De Lancey Nicoll, New York, N. Y.

NEW YORK, N. Y., *August 31, 1921.*

MY DEAR JOE:—Your Memorial to Julien is a masterpiece worthy of him and of you. You knew him better than any of us, but I knew him well enough to recognize the noble and generous qualities which he had in such large measure and which you have portrayed so well in your little book. He was indeed a great lawyer, a devoted friend and a delightful associate, whom we shall miss every day until our time comes.

Faithfully yours,

DE LANCEY NICOLL.

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From C. D. Hoagland, New York, N. Y.

NEW YORK, N. Y., *August 31, 1921.*

GENTLEMEN:—With great interest I read every word of the “Memorial of a Leader of the Bar” you so kindly sent me. It has created a lasting and beneficial impression. If we could but emulate the character of Julien T. Davies, the world would be greatly benefited.

His creed of life should prove an inspiration for all.

Very truly yours,

C. D. HOAGLAND.

From Harold R. Medina, New York, N. Y.

NEW YORK, N. Y., *September 1, 1921.*

MY DEAR MR. AUERBACH:—On returning from a short vacation I found awaiting me a copy of your Memorial of Mr. Davies which the firm so kindly sent me, I have read it several times with increasing interest.

While it was only upon rather infrequent occasions that my work for your firm

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brought me in touch with Mr. Davies during the many years that I was in the office, he was always an inspiration to me and represented an ideal to which I could and indeed to which I still do thoughtfully refer when questions of professional conduct present themselves to me. I believe I can remember almost every word he has spoken in my presence, many of which were words of kindness and encouragement, which though at the time entirely unanticipated, were all the more gratefully received.

You will accordingly realize how sincerely thankful I am to you for having placed in my possession so perfect an appreciation of Mr. Davies. I shall indeed treasure it.

Very sincerely yours,
HAROLD R. MEDINA.

From Frank Tilford, New York, N. Y.

NEW YORK, N. Y., *September 1, 1921.*

MY DEAR JOE:—It gave me great pleasure to receive your little Memorial of our

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friend, the late Mr. Davies, and I truly appreciate your kind thought.

You have done your work brilliantly and well. May I offer my compliments and congratulations? No one could say enough in exaltation of this princely gentleman—for a gentleman he was indeed.

My best thanks to you, my dear Joe.

Cordially,

FRANK.

*From Judge Edwin L. Garvin, Brooklyn,
N. Y.*

BROOKLYN, N. Y., *September 1, 1921.*

DEAR MR. AUERBACH:—On my return from vacation to-day, I find awaiting me your Memorial of Mr. Julien T. Davies with a card from your firm. I presume this was sent to me at your request and I thank you. It is quite appropriate to have this memorial from one who was so well equipped to prepare it, and I am very glad to add it to my library.

With cordial regards,

Yours sincerely,

EDWIN L. GARVIN.

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From Judge John R. Hazel, Buffalo, N. Y.

BUFFALO, N. Y., *September 1, 1921.*

MY DEAR MR. AUERBACH:—Thank you for sending me your splendid tribute and Memorial to the life of Julien T. Davies, your erstwhile law partner. I had the pleasure of several times meeting Mr. Davies in his lifetime, and from the first he made an excellent impression on me. I truly wish I had known him better than I did. It gave me great pleasure to read the sincere tribute you pay to his memory, and I am convinced that he was an excellent type of everything that a truly conscientious and capable lawyer should be. With great respect, I am,

Very truly yours,

JOHN R. HAZEL.

From Ernest Wm. Bell, New York, N. Y.

NEW YORK, N. Y., *September 1, 1921.*

DEAR SIR:—Please accept my thanks for Mr. Auerbach's Memorial to Mr. Davies. It is a splendid portraiture of a splendid man.

Very truly yours,

ERNEST WM. BELL.

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From Kenneth M. Sills, Brunswick, Me.

BRUNSWICK, ME., *September 1, 1921.*

MY DEAR MR. AUERBACH:—I wish to thank your firm very much indeed for sending me the very appropriate Memorial of the late Mr. Julien T. Davies, which I read with very much interest and for which I thank you personally. It is a hard task to reproduce for strangers the essential qualities of a fine man, and I can only say that you have made Mr. Davies a very real sort of person.

Very truly yours,

KENNETH M. SILLS.

From Dr. E. L. Keyes, Tuxedo Park, N. Y.

TUXEDO PARK, N. Y., *September 2, 1921.*

DEAR MR. AUERBACH:—Your scholarly Memorial of Mr. Davies has been read by me with absorbing interest. How could you say less than you have said; how can anyone say more?

My acquaintance with Mr. Davies was superficial; but no one could come into

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contact with him, even for a few minutes, without being forced to acknowledge his superiority in dignified personality to the ordinary run of men and to appreciate the radiating force of his individuality—a gentle, unpretentious force, but none the less evident.

He was a shining light in the community, a man among men, and his departure has left in the community a void that cannot be wiped out by any effect of time or any result of circumstance.

Peace be to his ashes!

I am happy to add this little leaf of adulation to the wreath with which posterity will ultimately crown him.

Very sincerely yours,

E. L. KEYES.

From William B. Clarke, New York, N. Y.

NEW YORK, N. Y., *September 2, 1921.*

GENTLEMEN:—I am indebted to you for remembering me with a copy of the Memorial of Mr. Julien T. Davies. I am

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glad to have it not only because of my association with Mr. Davies while he was a Director of this Company, but also because he was for many years a close friend of my grandfather, the late Herbert Ray Clarke. My grandfather was one of the charter members of the South Side Sportsmen's Club, and was an ardent and expert fisherman. Mr. Davies told me it was my grandfather who first initiated him into the delights of that sport at the time, referred to in the Memorial, when Mr. Davies' health was impaired.

Yours very truly,

WILLIAM B. CLARKE.

From John Larkin, Croton-on-Hudson, N. Y.

CROTON-ON-HUDSON, N. Y., *September 3, 1921.*

DEAR MR. AUERBACH:—Your graceful tribute to Mr. Davies I have read with keen appreciation, for in him in my opinion the ideal lawyer was disclosed.

To a great natural ability were added constant study and tireless effort which

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early in life placed him high in the ranks of his profession.

His training, skill and technical equipment as a lawyer were set off by a genuine and graceful culture which to my mind was his chief charm.

His gentle dignity was never lost even under the most trying circumstances.

One instance comes to my mind as I write: The mayor then burdening the City of New York before whom Mr. Davies was compelled to make an argument used every effort within the limits of a vulgar and ignorant mind and brutal spirit to harass Mr. Davies and cause him to lower the plane of his argument; the effort was in vain, of course; unruffled, polite, yet insistent, never for a moment did Mr. Davies lose his balance as a lawyer or his poise as a gentleman.

The contrast in character of the two men was striking indeed and to this day I have it fresh in my mind, and will never forget it.

Yours very truly,

JOHN LARKIN.

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From W. A. Pennington, Edgartown, Mass.

EDGARTOWN, MASS., *September 2, 1921.*

GENTLEMEN:—Please accept my thanks for Mr. Auerbach's Memorial tribute to the late Mr. Julien T. Davies, which I have read with pleasure. It recalls many memories, and is worthy of the subject and of the author.

Very truly yours,
W. A. PENNINGTON.

From John H. Storer, Boston, Mass.

BOSTON, MASS., *September 2, 1921.*

MY DEAR MR. AUERBACH:—I thank you for sending me the copy of your beautiful tribute to Mr. Julien T. Davies. It fittingly describes his simple, noble character, and is just what he would have liked to have said of him.

Yours sincerely,
JOHN H. STORER.

From Calvert Brewer, New York, N. Y.

NEW YORK, N. Y., *September 3, 1921.*

DEAR MR. AUERBACH:—I have been reading your Memorial on Mr. Davies which

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has just come to me and cannot refrain from writing to express my appreciation of your sending it. You have had a fruitful theme as the subject of your Memorial, but you have done it so beautifully that it must necessarily give the greatest pleasure to all Mr. Davies' friends as it has to me in reading it.

To quote from your own words it is difficult to conceive what could be taken from or added to this eulogy without detracting from its dignity and fitness.

While not intimate with Mr. Davies, I like to consider that he was a good friend during the twenty-five years I knew him and I shall prize your little book as a beautiful reminder of that friendship.

If you can spare another copy I should like very much to send it to Mrs. Brewer who will be in France for another month or so. I am sure she will appreciate it.

Very sincerely,

CALVERT BREWER.

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From Wm. A. Tucker, Manchester, Mass.

MANCHESTER-BY-THE-SEA, MASS., *September 4, 1921.*

MY DEAR MR. AUERBACH:—We are all so grateful to you for sending us a copy of your beautiful tribute to Mr. Davies.

Mrs. Tucker and I have read every word of it and have been brought to a fuller realization of our loss in the passing of this dear friend. Your words are a great tribute coming from one who was so intimately associated with him for so many years. As I look back on the old Knickerbocker days the memory of my association with him blots out all the trials and tribulations, and makes me think of them as a bright spot in my life. Mrs. Tucker joins me in kindest regards—she seems to have a very tender feeling for you.

Yours sincerely,

WM. A. TUCKER.

*From The Hon. John W. Davis, New York,
N. Y.*

NEW YORK, N. Y., *September 6, 1921.*

GENTLEMEN:—I have read with much interest Mr. Auerbach's Memorial to Mr.

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Julien T. Davies which you were good enough to send me. It is well to have in permanent form a record of a lawyer so deservedly admired.

Very truly yours,
JOHN W. DAVIS.

From The Hon. George Sutherland, Washington, D. C.

WASHINGTON, D. C., *September 6, 1921.*

DEAR MR. AUERBACH:—I have read your tribute to the memory of your late law partner, Julien T. Davies, with unusual interest. It constitutes a most refreshing departure from the usual exaggerated and rhetorical eulogy which gives us a caricature and not a portrait of the dead. You have written of your friend's daily social and professional life in such simple yet accurately appropriate words that he is made to stand before the mind's eye exactly as he was. I do not recall having read a piece of English which breathes so fine a sentiment of affection in language so modestly in keeping with the dignity of the theme.

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I did not know Mr. Davies as intimately as I have known you, but I knew him well enough to have a very positive opinion as to his worth. He impressed me most of all with his thorough-going intellectual honesty—as one who could neither be forced nor beguiled into supporting a proposition unless it met with the approval of his reason and conscience. Judged by his work, both in court and out, his learning was not only broad, but exact. He was brilliant and convincing in argument, as well as patient and painstaking in preparation. His kindly, generous nature, his unfailing courtesy, his love of justice, his devotion to the best traditions of a noble profession, his loyalty to his client when convinced of the righteousness of the cause, sum up the prominent qualities of this great lawyer, and constitute him an example and an inspiration to layman and lawyer alike.

Very sincerely,

GEO. SUTHERLAND.

TO HIS MEMORY

From Frederic J. Fuller, New York, N. Y.

NEW YORK, N. Y., *September 6, 1921.*

DEAR MR. AUERBACH:—Please accept my somewhat belated thanks for your kindness in sending me a copy of your Memorial of Mr. Davies.

It is most interesting and exceedingly well done. I shall treasure it both because of my regard for Mr. Davies and as a striking piece of literary work.

With kind regards, I am,

Faithfully yours,

FREDERIC J. FULLER.

*From the Presiding Bishop and Council
Protestant Episcopal Church,
New York, N. Y.*

NEW YORK, N. Y., *September 7, 1921.*

GENTLEMEN:—Please let me express our appreciation of Mr. Auerbach's book on the life of Mr. Davies. It is certainly most interesting reading. I wish it had been my pleasure to have known Mr. Davies longer and more intimately. Mr. Davies'

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name in this Society will surely last for generations.

Yours very truly,

THE PRESIDING BISHOP AND COUNCIL,
CHARLES A. TOMPKINS,
Assistant Treasurer.

*From The Hon. A. T. Clearwater, Kingston,
N. Y.*

KINGSTON, N. Y., September 7, 1921.

GENTLEMEN:—I beg to acknowledge the receipt of, and heartily to thank you for the copy of Mr. Auerbach's graceful tribute to my old friend, Julien T. Davies, for whom I had a high and warm regard, but who, alas! in these days of lengthening shadows, I saw too infrequently.

May I add to what Mr. Auerbach so truthfully says of him, that noble line of Vergil—

“Semper honos nomenque tuum
laudesque manebunt.”

With many kind regards, I am, as ever,
Very sincerely yours,

A. T. CLEARWATER.

TO HIS MEMORY

From Arthur Turnbull, New York, N. Y.

NEW YORK, N. Y., *September 7, 1921.*

MY DEAR JOE:—I thank you for sending me a copy of your appreciation of Mr. Davies. I was always very fond of Mr. Davies and had a sincere admiration for his character and attainments. As a younger man I received unfailing courtesy and consideration from him, which left a deep impression on me. I am glad that you have written this little book in honor of his memory, as it seems to me it is very proper and timely that you should do so, and because it is done with a finish and charm of style which is characteristic of all you write, and makes it a worthy tribute.

As always,

Sincerely yours,

ARTHUR TURNBULL.

From Orson D. Munn, New York, N. Y.

NEW YORK, N. Y., *September 7, 1921.*

MY DEAR MR. AUERBACH:—I have just finished reading the Memorial of Mr.

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Davies written by you, and take this opportunity of thanking you for having sent the same to me. You may rest assured that I will preserve it carefully in our office, as I was always very fond of Mr. Davies and considered his death a great loss not only to his personal friends, but to the entire profession.

Thanking you again, I remain,

Yours most sincerely,

ORSON D. MUNN.

From J. W. Buchner, New York, N. Y.

NEW YORK, N. Y., *September 7, 1921.*

DEAR MR. AUERBACH:—Thank you very much for sending me a copy of your Memorial to the late Mr. Davies. I found it on my desk when I returned yesterday from a vacation and shall read it with a great deal of interest.

Mr. Davies was a remarkable man and had a most charming and kindly personality. His death has been a great loss not only to his partners and associates,

TO HIS MEMORY

but to his friends and the community as well. With kindest regards,

Very sincerely yours,

J. W. BUCHNER.

From L. P. Hale, Albany, N. Y.

ALBANY, N. Y., September 8, 1921.

GENTLEMEN:—You will please accept my sincere thanks for Mr. Auerbach's "Memorial of a Leader of the Bar." It was my privilege to know Mr. Davies from his relation to St. Lawrence County as well as from contact with him as a member of the Bar Association of the State and in other ways. While my acquaintance was not intimate it was sufficient to produce in my mind a great respect and a sincere liking for the man as well as the lawyer. I well remember that he was present in the Court of Appeals the day I argued my first cause there and that he was kind enough, though a stranger, to speak to me encouragingly after the argument.

Sincerely yours,

L. P. HALE.

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From The Hon. Geo. Gordon Battle, New York, N. Y.

NEW YORK, N. Y., *September 8, 1921.*

MY DEAR JOE:—Please accept my hearty thanks for your kindness in sending me your Memorial on Mr. Davies, which I have read with very great interest and pleasure. It was extraordinarily well done.

When I first came to New York, Mr. Davies was very kind indeed to me—as he was to so many young men. I always had for him a very great admiration and real affection.

With all good wishes and with kind personal regards, I am

Faithfully yours,

GEO. GORDON BATTLE.

From Wm. B. Boulton, Morristown, N. J.

MORRISTOWN, MORRIS COUNTY, N. J., *September 8, 1921.*

MY DEAR JOE:—I am tremendously obliged to you for sending me the Memorial you prepared in regard to Mr. Davies. I have read every word of it and have been very much interested in the very able and touch-

TO HIS MEMORY

ing manner in which you tell the incidents of his life.

It was my good fortune during the last two or three years to come in rather close contact with Mr. Davies at the Flanders Club and I look back with the greatest pleasure on my association with him.

I know that his death was a great personal loss to you, but I can assure you that a host of his friends share this loss with you, although in a lesser degree.

Sincerely yours,

WM. B. BOULTON.

From Dr. Wm. Evelyn Porter, New York, N. Y.

NEW YORK, N. Y., *September 8, 1921.*

MY DEAR AUERBACH:—Upon my return to the office I find a copy of your Memorial to our dear friend, Mr. Davies.

Permit me to thank you kindly for it, as I shall value it highly.

It is a most admirable tribute to one of the greatest of men and best of friends.

Sincerely yours,

WM. EVELYN PORTER.

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*From The Hon. W. M. K. Olcott, New York,
N. Y.*

NEW YORK, N. Y., September 8, 1921.

DEAR MR. AUERBACH:—I am very much indebted to you for sending me a copy of your Memorial to Julien T. Davies. I knew him well enough to share the appreciation, which you have so exquisitely expressed, of his great and tender character and ability.

Very faithfully yours,
W. M. K. OLCOTT.

From Robt. W. Bonyngé, New York, N. Y.

NEW YORK, N. Y., September 8, 1921.

GENTLEMEN:—I acknowledge with thanks the Memorial to the late Julien T. Davies, Esq., which is a splendid tribute to a great lawyer.

Yours very truly,
ROBT. W. BONYNGE.

From Francis S. Hutchins, New York, N. Y.

NEW YORK, N. Y., September 9, 1921.

MY DEAR MR. AUERBACH:—I have just reread your splendid tribute to my friend

TO HIS MEMORY

and neighbor Mr. Davies. I am delighted to have it in permanent form. Of special interest to me is your reference to his more human side—his love of hunting and fishing. How he reveled in his Great River place! He was a truly great man.

Most sincerely yours,
FRANCIS S. HUTCHINS.

From George Zabriskie, St. James, L. I.

ST. JAMES, L. I., September 9, 1921.

MY DEAR AUERBACH:—I am much obliged to you for a copy of your Memorial of Julien Davies, which I have read with pleasure and profit. It does not seem to me that you have exaggerated his virtues. His character is well and truly portrayed. Your work is well done.

While I never knew him intimately, I knew him as long as almost any man at the Bar; and as a youth I knew his father and other members of his family; and as I think of him I cannot help feeling sad for his departure, while I recognize at the same time how well he lived his life, and

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exemplified the ideal of the good lawyer. Therefore the Bar will hold him in honor, and his friends will cherish his memory.

Sincerely yours,

GEORGE ZABRISKIE.

From Wm. P. Dixon, New York, N. Y.

NEW YORK, N. Y., September 9, 1921.

DEAR MR. AUERBACH:—On my return to the City, I find a copy of the Memorial of our friend and your partner, Julien T. Davies. I appreciate your kindness in sending me the Memorial because for more than forty years he and I were acquaintances and good friends; from the very beginning of our acquaintance, when he was on the threshold of his successful career as a lawyer, I recognized his ability, devotion to his profession and to the interests of his clients, from that time on I witnessed his steady rise to prominence as an attorney and advocate and witnessed also in recent years and wondered at the personal courage which enabled him to bear up under

TO HIS MEMORY

the heavy burdens of sorrow caused by the death of wife and children. It seems like reversing the order of nature when children die before the parents. Yet our friend was called on to suffer this sad bereavement not once only but thrice, yet bore himself with such bravery and fortitude that we, his friends, wondered and admired the courage of the man.

I sympathize with you, dear Mr. Auerbach, for I know how greatly you miss our friend for your relations with him were such as only ties of blood could make stronger.

Yours sincerely,

WM. P. DIXON.

*From The Hon. Isaac Franklin Russell,
New York, N. Y.*

NEW YORK, N. Y., September 10, 1921.

DEAR JOE:—Thanks for your Memorial volume on Mr. Davies. I knew him well enough to understand that all you say is true. But I am charmed by the literary style of your writing, which seems almost

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perfect and brings back a long train—a very long train of thoughts and memories.

You must keep your pen in motion.

Faithfully yours,

ISAAC FRANKLIN RUSSELL.

*From Helen Davies Lanpher, New York,
N. Y.*

NEW YORK, N. Y., *September 10, 1921.*

MY DEAR MR. AUERBACH:—Thank you for sending me your lovely tribute to my dear brother. It certainly is beautifully expressed, and in every way a very suitable memorial to his memory. I personally had a great reverence for the courage which enabled him to bear all life's hard knocks without a whimper. I am glad to see that you appreciate that characteristic. He is indeed a great loss to us all.

With kind regards,

Sincerely,

HELEN DAVIES LANPHER.

TO HIS MEMORY

From Bishop William T. Manning, Seal Harbor.

SEAL HARBOR, *September 11th.*

DEAR MR. AUERBACH:—I am very grateful to you for sending me a copy of your Memorial to our beloved friend Julien T. Davies.

It is a beautiful and worthy tribute, and every word of it is true.

With kindest regards to you and Mrs. Auerbach,

Faithfully yours,

WILLIAM T. MANNING.

From J. J. Stevenson, New York, N. Y.

NEW YORK, N. Y., *September 13, 1921.*

MY DEAR MR. AUERBACH:—I have read your Memorial of Mr. Davies with much interest. You have succeeded in exhibiting the man and in explaining his success in life, all without apparent desire to point a moral.

Mr. Davies must have been an inspiring associate and, as featured in your Memo-

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rial, he may well serve as model for young men. He did his best even in "little" things.

I thank you for the pleasure which the reading has given me. It seems almost incredible that forty-six years have passed since you and I parted company in N. Y. U.

Sincerely yours,

J. J. STEVENSON.

*From District Attorney Charles R. Weeks,
Mineola, N. Y.*

MINEOLA, N. Y., September 12, 1921.

MY DEAR MR. AUERBACH:—I have just finished reading the Memorial to the late Julien T. Davies. I thoroughly enjoyed every page of it.

Not only is the life and active career of Mr. Davies an inspiration to all who cherish the ideals of our profession, but the lessons taught by his stanch honesty and grim determination to get the truth, as eloquently pointed out by you, are of great value to all lawyers.

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I thank you for sending it to me.

With sincere regards, I am,

Respectfully yours,

CHARLES R. WEEKS.

From Eugene P. Locke, Dallas, Texas.

DALLAS, TEXAS, *September 12, 1921.*

GENTLEMEN:—I desire to express my thanks for your kindness in sending me a copy of Mr. Auerbach's Memorial of the late Julien T. Davies. I have read it with great pleasure. A fitting Memorial of a noble life is not only a tribute to the departed, but an inspiration to the younger generation who remain.

My father entertained great respect for Mr. Davies. He heard Mr. Edward Lyman Short mention him frequently.

Yours sincerely,

EUGENE P. LOCKE.

From The Rev. James E. Freeman, Washington, D. C.

WASHINGTON, D. C., *September 15, 1921.*

MY DEAR MR. AUERBACH:—On my return here after my vacation I find a copy of

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your splendid tribute to Mr. Julien Davies. Now that I have read it, I beg to thank you most heartily for it. It was my privilege at the last General Convention to draw up the resolutions expressing to Mr. Davies the gratitude of the General Church for his long and signal services as counsel of the Board. I have known Mr. Davies in that capacity as a fellow member of the Board for many years last past, and I always esteemed him, as did my colleagues, as one of the most clear-visioned, utterly unselfish and high-minded men on the Board. Too much could not be said in his praise.

To me he never seemed to grow old. He had all the buoyancy and the fine spirit of youth. Such men are an adornment to the Christian Church.

Again thanking you for the Memorial to Mr. Davies, and for the thoughtfulness of your firm in sending me a copy, I beg to remain,

Faithfully yours,

JAMES E. FREEMAN.

TO HIS MEMORY

*From Judge William S. Andrews,
New York, N. Y.*

SYRACUSE, N. Y., *September 15, 1921.*

DEAR MR. AUERBACH:—Last night, on my return from Canada, I found your affectionate and beautiful Memorial to Mr. Davies. It pictures clearly the man I admired and loved. No one, better than yourself, could tell the story of the great lawyer, the man of wise counsel and calm judgment. And no one could better speak of the steadfast, loyal friend.

For many years my father and then myself were honored by his friendship. I like to remember him on his place at Great River. Mrs. Andrews and I spent happy days with him there. I see him yet, sitting at his organ, with the books he so cared for around him, or steering his boat over the waters of the bay, or walking along the shore telling us of the days of shooting he and you had enjoyed. Once he went with me to the St. Lawrence, and we lived for three days in a cottage on Fox Island

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that friends had lent us. We fished while it was still light, and in the evenings he told of his experiences at the Bar or we talked of books, and such talk from him was always illuminating. And never, in spite of the griefs that came to him, was there any complaint. He was a brave man. The last time I saw him he spent the night with us at Albany. He was a young man then, enjoying life, happy with his friends, planning for the future. I think he remained young to the end.

To me, he will so remain always. Again and again I have wished he might have been with me on some fishing trip, or in our camp. It is difficult to realize that the possibility is over. His loss is very grievous.

Very sincerely yours,

WM. S. ANDREWS.

*From Judge David F. Manning, Brooklyn,
N. Y.*

BROOKLYN, N. Y., *September 15, 1921.*

GENTLEMEN:—Please accept my sincere thanks for the beautiful Memorial of the

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late Julien T. Davies, prepared by Mr. Auerbach, which you were good enough to send me. I shall treasure the volume not only for the memory of the man whose eminent qualities it so fittingly portrays, but also for the appropriate and touching recital concerning the author's recollection of his very dear friend.

Faithfully yours,

DAVID F. MANNING.

From Clifford W. Barnes, Chicago, Ill.

CHICAGO, ILL., *September 15, 1921.*

MY DEAR MR. AUERBACH:—Your gracious gift was waiting for me upon my return last Tuesday, and I appreciate the kindness you have shown me. Mr. Davies' life seems to have been unusually full and worthy of praise, and your Memorial is a beautiful tribute to the man.

Thanking you very heartily, I am,

Yours truly,

CLIFFORD W. BARNES.

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From The Hon. Alton B. Parker, Esopus-on-the Hudson, N. Y.

ESOPUS-ON-THE-HUDSON, N. Y., *September 16, 1921.*

MY DEAR AUERBACH:—Julien T. Davies was a splendid citizen, a great lawyer, a true friend and worthy of all you have said about him.

Moreover he was fortunate in leaving you behind him, for no one else could have presented so just and at the same time so exquisite a picture of him as you have done.

As a friend of Davies and of your good self I both thank you and congratulate you.

Faithfully yours,

ALTON B. PARKER.

From C. A. Richmond, Schenectady, N. Y.

SCHENECTADY, N. Y., *September 16, 1921.*

MY DEAR MR. AUERBACH:—I find your fine tribute to Mr. Julien T. Davies on my return. I had a passing acquaintance with him and recognized in him the unusual qualities you have so handsomely outlined. I was especially touched by the little inci-

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dent of the old fisherman at the funeral.
Thank you for remembering me.

As always, faithfully yours,
C. A. RICHMOND.

From Francis G. Caffey, New York, N. Y.

NEW YORK, N. Y., *September 16, 1921.*

MY DEAR MR. AUERBACH:—I am very grateful for a copy of your Memorial of Mr. Davies. You have done a service to the community and to the Bar in preparing this. It is graphic and charmingly written. It pictures a real lawyer, whose example is an inspiration to other members of the profession. While I knew generally about Mr. Davies and his career, you have taught me much, and I shall treasure the little record you have made.

I was at the Harvard Law School with Julien, Jr. I regretted very much his going.

Sincerely yours,
FRANCIS G. CAFFEY.

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*From Judge Edward R. Finch, New York,
N. Y.*

NEW YORK, N. Y., *September 16, 1921.*

GENTLEMEN:—I have received and read with pleasure the Memorial of a Leader of the Bar. I knew and admired the late Julien T. Davies very much, not only as a man, but as a leader in his profession.

I thank you for your thoughtfulness in sending me the copy.

Very sincerely,

EDWARD R. FINCH.

From Willis O. Robb, New York, N. Y.

NEW YORK, N. Y., *September 16, 1921.*

MY DEAR MR. AUERBACH:—A few days ago on my return from vacation I found and have just now read through your little Memorial volume on Mr. Davies, and I am writing these lines, not only to express my thanks for the remembrance, but to say with what surprising clearness and accuracy your picture corresponds with my own impression of Mr. Davies as I call

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up his personal appearance, expression, bearing, use of language, etc., in the interviews I have had with him in the last few years, perhaps not more than a dozen in all. I suspect that if you have so accurately hit off the man I came to know in those interviews, you must have done equal justice to the fuller individuality known to his close associates in and out of his office during a long and splendid lifetime.

Very truly yours,
WILLIS O. ROBB.

*From Bishop William Lawrence, Readville,
Mass.*

READVILLE, MASS., *September 16, 1921.*

MY DEAR MR. AUERBACH:—Allow me to thank you for your Memorial of Mr. Julien T. Davies which I have read with much interest.

It is the record of a noble soul.

Yours sincerely,
WILLIAM LAWRENCE.

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From The Hon. Charles E. Hughes, Washington, D. C.

WASHINGTON, D. C., September 16, 1921.

MY DEAR MR. AUERBACH:—I have read with great pleasure your Memorial Volume on Julien T. Davies. When I came to the Bar Mr. Davies had just become Receiver of Grant & Ward, and as I was in the office of Mr. Hornblower, who was acting as counsel for the Receiver, I heard a great deal about Mr. Davies and thus early came to hold him in high esteem. You have briefly but effectively sketched a long life of exceptional usefulness and distinction—the life of one who brought to his professional work not only great legal ability, but rare refinement and a charm of manner which made it a pleasure to have dealings with him—a gentleman unafraid.

With kind regards, I am

Very sincerely yours,

CHARLES E. HUGHES.

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From Alice R. Allan, Montclair, N. J.

MONTCLAIR, N. J., *September 16, 1921.*

GENTLEMEN:—My mother, Mrs. George S. Allan, wishes me to thank you very much for your kindness in sending her Mr. Auerbach's Memorial of Mr. Davies. She thinks it is a very just appreciation of Mr. Davies' character, and is glad to have this record of one who was a lifelong friend and counsellor.

Very sincerely yours,

ALICE R. ALLAN.

From Frederick L. Allen, New York, N. Y.

NEW YORK, N. Y., *September 17, 1921.*

MY DEAR MR. AUERBACH:—I have just devoted a very profitable and enjoyable half hour reading your excellent Memorial of Mr. Davies and I congratulate you upon the production. It is a masterpiece. You, of all others of Mr. Davies' warm personal friends and associates, were the one best qualified to write the Memorial, and we who knew Mr. Davies are indebted to you for having done so.

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There were so many fine qualities in the make-up of Mr. Davies' character, that it is difficult to fix one's mind upon any one in particular. Addison said, "The chief ingredients in the composition of those qualities that gain esteem and praise, are good nature, truth, good sense and good breeding." Mr. Davies had all these essentials to invite esteem and praise, and many others which led men to respect and love him. You, however, in this beautifully worded Memorial, have revealed to us many of the secrets of Mr. Davies' character which impelled men to admire and esteem him as few men are admired and esteemed. I am especially happy in the possession of this Memorial for the reason that my professional career began in Mr. Davies' office, to which I went immediately after my admission to the Bar, and although after some six years in his office, I left to come to the company with which I am now connected, I was privileged to see and confer with him many times about professional matters. It is a pleasant

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memory to recall his uniform kindliness, graciousness, courtesy and consideration at all times.

I thank you very much for sending me a copy of the Memorial.

I am,

Very sincerely yours,

FREDERICK L. ALLEN.

*From The Hon. Edward E. McCall,
New York, N. Y.*

NEW YORK, N. Y., September 17, 1921.

MY DEAR MR. AUERBACH:—Let me express my grateful acknowledgment of your kindly thought of me in sending me a copy of the Memorial of Mr. Davies. It was my rare privilege to have known him for many years and in my connection with the Mutual Life to have come in close contact with him. Limited by the embarrassment of your close association with him, I can readily see why so much more than was written could under other circumstances been indited; but the tribute you pay was becoming to a rare, great man, whom all

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that knew him loved, venerated and respected.

Very sincerely yours,
EDWARD E. McCALL.

*From Judge Isaac N. Mills, Mount Vernon,
N. Y.*

MOUNT VERNON, N. Y., *September 17, 1921.*

GENTLEMEN:—I write to acknowledge with thanks the receipt of the booklet containing a reprint of Mr. Auerbach's Memorial of the late Julien T. Davies. It was received during my absence on vacation, and hence my tardy acknowledgment. I have read it with great interest and appreciation. It constitutes a fine and well-deserved tribute to a great man and lawyer.

Very truly yours,
ISAAC N. MILLS.

From Judge H. Putnam, Brooklyn, N. Y.

BROOKLYN, N. Y., *September 17, 1921.*

GENTLEMEN:—Please accept my thanks for the courtesy of your reprint of the Memorial of the late Julien T. Davies. It

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will be preserved not only as a Memorial of a distinguished lawyer, but as a tribute written in a rare charm, of Mr. Auerbach's best style. I suppose Mr. Davies was buried in the beautiful cemetery at Beacon, where rests the remains of Chancellor Kent.

Yours faithfully,
H. PUTNAM.

*From Martha Swift-Hollister, Bronxville,
N. Y.*

BRONXVILLE, N. Y., *September 17, 1921.*

DEAR MR. AUERBACH:—It was very kind of you to remember my brother, Dr. Swift, and to send him your thoughts of Mr. Davies. We were always very proud and fond of Uncle Julien, and were so glad to read how you felt about him. He certainly had a most attractive personality, and we have all missed something from our lives by his passing away. As I am with my brother for a few days, I read his copy and said that I would send you his thanks.

Sincerely yours,

MARTHA SWIFT-HOLLISTER.

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From The Rev. W. N. Webbe, Great River, L. I.

GREAT RIVER, L. I., *September 19, 1921.*

GENTLEMEN:—I beg to acknowledge with thanks and profound appreciation the receipt of a copy of the tribute to the memory of our late Senior Warden, Julien T. Davies, by a member of your firm.

I was quite intimately associated with him for many years and perhaps the highest tribute to his memory is the truthful assertion that his loss seems irreparable, not only personally, but to every member of our little parish and community.

Sincerely,

W. N. WEBBE.

Rector, Emmanuel Church.

From Henry M. Earle, New York, N. Y.

NEW YORK, N. Y., *September 19, 1921.*

MY DEAR MR. AUERBACH:—I did not think it possible that any one could draw so accurate a picture of the attractive qualities and lofty attributes of our friend

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Davies—therefore, I all the more enjoyed your charming Memorial.

With appreciation of your work, and of your thought in sending me a copy, I am, with best regards,

Faithfully yours,

HENRY M. EARLE.

From Marion C. Bourne, Oakdale, L. I.

OAKDALE, L. I., *September 19, 1921.*

MY DEAR MR. AUERBACH:—I greatly appreciate your kindness in sending me the beautiful little Memorial book of Mr. Davies. He was a friend indeed, and I shall take great pleasure in reading your book.

Very sincerely,

MARION C. BOURNE.

From Francis R. Appleton, Jr., New York, N. Y.

NEW YORK, N. Y., *September 20, 1921.*

MY DEAR MR. AUERBACH:—Thank you very much for the biography of Mr. Julien

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T. Davies which you were good enough to send me. I read it through with great interest and much appreciation.

I remain,

Faithfully yours,

FRANCIS R. APPLETON, JR.

*From Chief Judge Frank H. Hiscock,
Syracuse, N. Y.*

SYRACUSE, N. Y., September 21, 1921.

MY DEAR MR. AUERBACH:—I have read with much appreciation your Memorial of Mr. Davies. It is a deserved tribute to an able, outstanding and honored member of our profession. You have nowhere permitted the affection begotten of a long and intimate friendship to lead you into mere meaningless eulogy, but have stated the facts of a life and professional career which always ought to be a guide and inspiration to those who follow after.

I never knew Mr. Davies intimately and therefore can only speak as one having that general knowledge afforded by his professional and public life and work.

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The legal profession was his by inheritance and he entered upon its study and pursuit strengthened and stimulated by the recollection of a father who had made himself distinguished and respected in the field of work which the son had chosen. He soon became and always continued a true leader at the Bar not only in industry, ability and accomplishment, but also in the observance of those traditions and conceptions which alone can maintain for our profession the rank and standing to which it is entitled. The records of the trial courts contain ample evidence of his great industry and through the reports of high appellate courts are scattered his briefs discussing with great learning and yet in plain and graceful language important and complicated questions and often leading to the establishment in behalf of clients of principles of great consequence not only to them but to the public. The burden of work which he carried in the so-called Elevated Railroad Cases was of itself enough to be the life task of an ordinary

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practitioner. Indeed it was so great that it almost broke him down physically and drove him to a lesser measure of work.

But however great the demands of his professional work, they were never so engrossing or exclusive that Mr. Davies did not make time for the full and energetic discharge of his obligations as a citizen. Many an intelligent and practical movement for public and civic improvement found in him a wise guide and a stalwart supporter. His profession did not narrow or dull his views and interest, but served as a reservoir of learning and experience from which he drew the capacity the better to guide and make effective the obligations of citizenship.

It is a fine and just thing that you who knew him so well have written this Memorial which will help to keep alive the memory of one who had so many qualities of great ability and real nobility as a lawyer, as a citizen and as a man.

Yours cordially,

FRANK H. HISCOCK.

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From John Grier Hibben, Princeton, N. J.

PRINCETON, N. J., *September 22, 1921.*

MY DEAR MR. AUERBACH:—I have just received a copy of your delightful Memorial to your partner and friend, Julien T. Davies. I am very glad indeed of this opportunity to know something of that strong, admirable nature which made Mr. Davies a power in New York during this last generation.

With my warm regards, believe me,
Faithfully yours,
JOHN GRIER HIBBEN.

From August Belmont, New York, N. Y.

NEW YORK, N. Y., *September 21, 1921.*

MY DEAR JOE:—As a former friend and admirer of Julien T. Davies, I was deeply interested in the little volume which you sent to me entitled "Memorial of a Leader of the Bar."

Certainly so fine a citizen, in addition to being a great lawyer, deserved that a vivid

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picture of his noble life and career be handed on to posterity.

You have drawn this with the fidelity of a truthful chronicler and not from the point of view a biased friend might take. All you have written about Mr. Davies in deservedly tender, eloquent terms, is exact. I thank you as a friend and as a citizen for this delightful contribution to our annals.

Believe me,

Very sincerely yours,

AUGUST BELMONT.

From The Rev. Charles Lewis Slattery, New York, N. Y.

NEW YORK., September 21, 1921.

MY DEAR MR. AUERBACH:—I have long been wishing to thank you for your admirable tribute to your intimate friend, Mr. Davies. It awakens memories of my own friendship, and tells me much of him that I did not know. All his friends must be grateful to you for this clear and just record of his ability and goodness.

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I knew Mr. Davies through the later years of his life. As one of his rectors I saw him often during the successive sorrows which came to him; and though one feels that conversations in the deepest experience are too sacred to repeat, I think I may speak of the heroic fortitude which those conversations revealed, the unspeakable love of a tender heart, the unselfish thought for those who shared his grief, and the stanch faith in the Father of us all. More and more, in letters and in personal talk, he said simply and without self-consciousness the convictions of his inner life.

He was for many years a member of the Board of Missions of the Episcopal Church and I believe his legal advice was sought and followed in all the intricate problems which faced this important governing body. His services to the Church were in other ways, too, of marked usefulness.

You speak of his interest in hunting and fishing. There too he was thoughtful of his friends. He often sent me ducks which he had shot, or fish which he had caught,

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and the friendly notes which came with the gifts were savory sauce for them.

It was always a delight to fall in with him and to speak of common interests, but the best of all was to find that he cared for his friends and had the genius to tell them so.

Faithfully yours,

CHARLES LEWIS SLATTERY.

*From Nicholas Murray Butler, New York,
N. Y.*

NEW YORK, N. Y., *September 22, 1921.*

MY DEAR MR. AUERBACH:—I have returned to my desk to-day after an absence of three months in Europe, and find your charming letter of the 20th and also a copy of your Memorial to Julien Davies, which I have at once eagerly read.

I thank you most cordially for having prepared this delightful tribute to a man whose charm of person and of speech equaled his professional industry and distinction. Julien Davies was a Columbia man through and through, and coming himself of a Columbia family maintained

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to the end his academic interest and his academic affection. Time and time again he spoke to us at some of our gatherings with singular eloquence, charm and literary finish. I greatly value this delightful presentation of the meaning of his life and character.

With best regards, I am,

Faithfully yours,

NICHOLAS MURRAY BUTLER.

From Edward Shaughnessy, New York, N. Y.

NEW YORK, N. Y., September 22, 1921.

DEAR MR. AUERBACH:—I thank you for sending me your graceful tribute to the memory of Mr. Davies. I know from personal knowledge how sincere and true the tribute is.

Mr. Davies was like a figure from the antique world and his presence emanated power. He had the quality of outward modesty and inward grace.

I can cite one instance of his fidelity to a client. When the Lexow legislative committee was investigating the —— Com-

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pany and its President had had a gruelling day on the witness stand, Mr. Davies read extracts from the testimony in the evening papers. He sent for me, as stenographer to the Committee, to come to his home in Eleventh Street, to read to him from my notes the full testimony. He had an important dinner party at the house and as soon as the meal was served he apologized to his guests and went with me to Thirty-fourth Street, where the notes were read, and Mr. Davies pointed out certain errors to the officer and asked him to return to the stand so they could be corrected. We did not part till after midnight.

.
Yes, "He loved, above all things, to award merited praise." His courtesy added grace to his modesty. And he had Stoic fortitude, for he displayed it when I met him for the last time in Savannah, at the De Soto Hotel, at the time of the death of his son. He then had the fortitude of a Hannibal.

Yes, and above and beyond all, was his

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devotion to the beloved daughter. How odd the root should die while the branch decays.

You did, with heart and brain, a noble work in writing that Memoir, with its cadence of poetical feeling and expression.

Sincerely yours,

EDWARD SHAUGHNESSY.

From Albert B. Boardman, New York, N. Y.

NEW YORK, N. Y., *September 23, 1921.*

GENTLEMEN:—The comprehensive, sympathetic and eloquent appreciation of the achievements and character of Julien T. Davies by his lifelong partner and friend, Joseph S. Auerbach, leaves little to be said by the writer. Yet it does not seem to be inappropriate, in view of my intimate acquaintance with Mr. Davies, particularly during the early years of his professional life, that I should add a word about his career at the Bar during those years.

Generally, recognition of legal ability of a high order can only be obtained by years of successful effort and the hardest kind

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of work. Mr. Davies was a conspicuous exception—in fact he was the most conspicuous exception—to this rule that I have ever known. His father was a distinguished Judge. He was born and brought up in a legal atmosphere. His qualifications for leadership among his associates at the Bar were so obvious that he secured a commanding position in his profession almost as soon as he began to practice.

A man “well stricken in years” like the writer, should be on his guard against falling into the common error of thinking that everything is going to the dogs because things are not now done as they were done when he was young. Nevertheless, I am convinced that in the olden days, before there were so many specialists, when lawyers tried their own cases, much more knowledge of the law was necessary to attain success in our profession than is now required. In those days every one who was a lawyer at all claimed to be a real-estate lawyer, an admiralty lawyer and

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a successful trier of causes; but now a man who acquires a great reputation—for example as attorney for the criminal rich—need not know an insurance policy from a chattel mortgage in order to obtain pecuniary rewards which would make Mr. James C. Carter, when he was the leader of the American Bar, look like a Latin professor at a University.

Mr. Davies did not simply practice law as a trade. He loved the law as a science. His limpid and analytical mind found great intellectual pleasure in the solution of difficult legal problems. In his professional employments Mr. Davies was an advocate, not an altruist. He neither asked nor gave quarter, but his loyalty to his client won the respect even of his defeated opponents.

One of the most distinguished characteristics of the man was his fortitude. Tried as few men are tried by sorrow and bereavement, he found relief in the conscientious discharge of duty. As Lord Macaulay says, speaking of Warren Has-

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tings, "He was tried by both extremes of fortune and never disturbed by either." His name has been inscribed on the honor roll of his profession, and his memory will be enshrined in the hearts of a vast army of friends. Paraphrasing a statement made by President Nicholas Murray Butler about France, to have known Julien T. Davies intimately, to have read his mind and his heart, was to have loved him.

Very truly yours,

ALBERT B. BOARDMAN.

*From Vice-Chancellor Eugene Stevenson,
Paterson, N. J.*

PATERSON, N. J., September 24, 1921.

MY DEAR AUERBACH:—Many thanks for this attractive little volume containing your fine appreciation of our dear friend Davies. While reading your Memorial my mind ran back through the long period of over thirty-five years which covers, and, also, closed our friendship here.

From time to time, as you know, I was associated with Davies in professional

TO HIS MEMORY

affairs—some of them of considerable magnitude and importance—and long ago I recognized his eminent endowments as a lawyer. But it was as a friend, a host, a companion, a brother fisherman, that I knew him best throughout all these years. The weeks we spent together, often alone, in the wilderness yield many of the most delightful reminiscences of my life.

As a host—what can be said, or rather, what cannot be said of his courtly, graceful, genial hospitality?

You have well portrayed our friend as a forceful, successful lawyer—a leader of the Bar—but what appeals to me most strongly in this tribute from your mind and heart is the restrained expression of your affection for this man which you could not conceal—this man whose winning personality has disappeared from our lives.

I congratulate you, my dear Auerbach, upon this work which you have so well done for all his and your friends.

Very sincerely yours,

EUGENE STEVENSON.

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From J. A. Badenoch, New York, N. Y.

NEW YORK, N. Y., *September 24, 1921.*

MY DEAR MR. AUERBACH:—It was a pleasure indeed to be remembered by you some time ago with a copy of your book in memory of the late Julien T. Davies.

Perusal of it stimulates me to emulate the business principle and life of such a man. I wish to thank you most sincerely for the opportunity you have given me to profit by his example.

Very sincerely yours,

J. A. BADENOCH.

From H. B. Hollins, New York, N. Y.

NEW YORK, N. Y., *September 26, 1921.*

DEAR SIR:—I have read with interest Mr. Auerbach's Memorial to Mr. Julien T. Davies, and the tribute paid to him is appreciated by me, as one who admired and respected him for his great qualities and sincere friendship.

Yours truly,

H. B. HOLLINS.

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From Josiah Marvel, Wilmington, Del.

WILMINGTON, DEL., *September 26, 1921.*

GENTLEMEN:—We thank you very much for the copy of Mr. Auerbach's Memorial of a Leader of the Bar. Mr. Davies was well known to this firm and was always held in high regard personally as well as professionally. The publishing of this Memorial is the rendering of a service by Mr. Auerbach that is due to the late Julien T. Davies and a similar service is due to many members of the Bar. Mr. Auerbach's Memorial will doubtless serve as a useful precedent. The public as well as professional services rendered by a lawyer are prone to be quickly forgotten unless perchance such service is rendered by being the author of a lasting textbook or by being the holder of public office. This should not be.

The services of such lawyers as Julien T. Davies do not die with them, and the memory of such services should not be permitted to die with them.

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Permit me to congratulate your Mr. Auerbach upon the excellency of his Memorial and to commend him and the other members of your firm for the form in which this Memorial is placed in the hands of members of the Bar.

With assurances of high regard, we are,

Most truly yours,

JOSIAH MARVEL.

From The Rev. William G. Thayer, Southborough, Mass.

SOUTHBOROUGH, MASS., September 27, 1921.

MY DEAR MR. AUERBACH:—I have read with great pleasure and profit your beautiful tribute to Julien T. Davies. Though I did not know him intimately, I had met him a number of times and came into touch with his personality and character. You have told his story in a most interesting way, but better still, you have painted a great portrait of a really great man. I am glad you have done it, and done it so well. In these days, the lives of such men as Julien Davies should be known by others than those who knew him, and I wish that

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every young man who wants to make his life worth while could read your book.

I thank you for sending me this inspiring message, for such indeed it is, and I congratulate you on your discerning appreciation, sketched for our benefit with such charm and skill.

Faithfully yours,

WILLIAM G. THAYER.

From Dr. Henry van Dyke, Princeton, N. J.

PRINCETON, N. J., September 27, 1921.

MY DEAR SIR:—Returning to Princeton I have just found here a copy of your Memorial of Julien T. Davies, and presume that I owe the gift of this valued book to your kindness. At all events I wish to thank you very sincerely for writing such an admirable sketch of a man whom I honored as a fine lawyer and a high-minded citizen, and loved as a comrade.

Some years ago I had the pleasure of going with him on a salmon-fishing excursion to the Ristigouche River. We had both passed recently through experiences of

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trial and sorrow. The season was a bad one—heavy rains, high water, and difficult angling. But Julien Davies was neither dispirited nor despondent. He kept his cheerful serenity and friendly courage through the dark days. By the use of somewhat novel tactics in the choice of flies and of places to fish, we succeeded in making a very good catch. And above all, we had many talks together about the deeper things of life which will always remain in my memory. He was in fact a man of wise counsel and steady faith in the things that make life worth living.

I have therefore a personal reason to thank you for your book, in which I find not only the tribute of an admiring friend and loyal associate, but also a piece of work done in that clear and beautiful English style which I have already learned to prize in your volumes of *Essays and Miscellanies*.

Believe me, with sincere regards,

Very truly yours,

HENRY VAN DYKE.

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From Earle W. Evans, Wichita, Kan.

WICHITA, KANSAS, *September 27, 1921.*

GENTLEMEN:—I read last night Mr. Auerbach's splendid Memorial and feel better and stronger for it this morning. I met Mr. Davies a couple of times years ago and those experiences together with what members of the New York Bar, with whom I have been more intimately associated, told me, gave me the impression that he was all that mere man can well be in the practice of law nowadays.

Thanking you for remembering us with a copy of this Memorial, I am,

Yours truly,

EARLE W. EVANS.

From Alexander S. Lyman, New York, N. Y.

NEW YORK, N. Y., *September 28, 1921.*

MY DEAR MR. AUERBACH:—I duly received the printed copy of the tribute to Mr. Davies which I read with very great interest and appreciation, with considerable verification from my own immediate

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experience of some of the circumstances in Mr. Davies' legal career, and with full acquiescence in the depiction of his personal traits and splendid character. I gave the volume to Colonel Henry W. Sackett, who used to be, as you will remember, the head of one of the leading firms which represented abutting owners in the Elevated Railroad litigation. He was much interested in the sketch and desired to read it.

With kind regards,

Very truly yours,

ALEX. S. LYMAN.

*From The Hon. Bainbridge Colby, New York,
N. Y.*

NEW YORK, N. Y., September 28, 1921.

MY DEAR MR. AUERBACH:—You have written a very delightful study of the life of your friend and partner Mr. Julien T. Davies. I have read it with great admiration.

You are eminently just in describing him as a leader of the Bar. This he was in the truest and broadest sense. I say broadest

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because Mr. Davies brought to his profession something in addition to a profound and accurate knowledge of the law. He carried into all his professional relations and activities an amenity and distinction that explain quite as much the impression he made upon the courts and the members of the Bar as the power and mastery of his arguments.

I have heard some men described as happy in their biographers. Surely this can be said of the great lawyer who is the subject of your exquisite Memorial.

Yours faithfully,

BAINBRIDGE COLBY.

From John C. Tomlinson, New York, N. Y.

NEW YORK, N. Y., *September 29, 1921.*

MY DEAR MR. AUERBACH:—It gave me much pleasure to read your graceful and appreciative Memorial on Mr. Julien T. Davies.

My acquaintance with Mr. Davies, though comparatively slight, extended over my entire professional life. That he was

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one of the acknowledged leaders of our Bar every lawyer recognized. He was, however, more than an able lawyer. He was a broad-minded, able, cultured man, possessing great charm and courtesy of manner, and endowed with a broad sense of justice.

Your article describes him as he was, as those who knew him will always remember him. When I add that I appreciate what you have written, I have paid your volume the highest compliment of which it is capable.

With kindest regards, I am,

Very sincerely yours,

JOHN C. TOMLINSON.

From Marshall S. Brown, New York, N. Y.

NEW YORK, N. Y., *September 29, 1921.*

MY DEAR MR. AUERBACH:—I appreciate your courtesy in sending me a copy of the Memorial to Mr. Julien T. Davies. The Memorial is worthy of the distinguished lawyer whom it commemorates and of the distinguished author who wrote it. It must

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have been a great privilege to have been associated as intimately as you were with a man of Mr. Davies' qualities.

Thanking you again for sending me the volume, I am

Very Sincerely Yours,
MARSHALL S. BROWN.

From William E. Waters, New York, N. Y.

NEW YORK, N. Y., September 29, 1921.

DEAR SIR:—Permit me to thank you very sincerely for a copy of Mr. Auerbach's "Memorial of a Leader of the Bar," which you have very courteously sent to me. I am one of the citizens of our great city who have had some slight personal knowledge of the excellent virtues of Mr. Davies, but have admired him for the innumerable ways in which he has exhibited his sterling qualities before the public, as a man of fine mentality, probity and public spirit. I shall treasure the copy you have sent me, and beg to subscribe myself,

Very gratefully yours,
WILLIAM E. WATERS.

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From Geo. W. Davison, New York, N. Y.

NEW YORK, N. Y., *September 30, 1921.*

DEAR MR. AUERBACH:—Your Memorial to Mr. Julien T. Davies bears on every page the evidence that it was a labor of love and a grateful task. I want to thank you for the pleasure which your little volume has given me. All of Mr. Davies' friends, among whom I include myself, owe you their appreciation for the justice which your beautiful tribute has done to him.

My own recollections of him harmonize with the impressions which he made upon me in my early days as a young lawyer in his office. He was rarely gifted with a magic and charm of voice and manner which fitly expressed the nobility of his nature, and the influence of his personality and presence was helpfully felt by all those with whom he came in contact. He impressed me most then and now with his courteous consideration for others, particularly his juniors, and I have in mind occasions when he called on us for extra efforts in a way which was a recognition

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that made it a delight to accept the responsibility and duty laid upon us.

The memory of Mr. Davies has abided with me and has helped me often and I would like to add this personal tribute as a footnote to what you have said about him.

Sincerely yours,

GEO. W. DAVISON.

From W. E. Halm, New York, N. Y.

NEW YORK, N. Y., *September 30, 1921.*

DEAR MR. AUERBACH:—I have just completed reading the Memorial to Mr. Davies. It is a great pleasure to know that his many excellent qualities are made a matter of everlasting record. It cannot help but be an inspiration to young men entering the profession to know that it is worth while to maintain a standard that will be a legacy to their families to be cherished by them far more than a large number of dollars.

Thanking you for sending me the booklet, I am,

Yours very truly,

W. E. HALM.

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*From Wm. Barclay Parsons, New York,
N. Y.*

NEW YORK, N. Y., *September 30, 1921.*

MY DEAR SIR:—I am in receipt of a Memorial of Julien T. Davies by your Mr. Auerbach.

I am very much obliged to you for sending me this charming volume descriptive of the character of a good friend.

Very sincerely yours,

WM. BARCLAY PARSONS.

From Arthur N. Taylor, Washington, D. C.

WASHINGTON, D. C., *October 4, 1921.*

DEAR MR. AUERBACH:—As one of the young men of a score of years ago who were so fortunate as to have been associated with your firm, I have read with deep and sympathetic understanding your Memorial of Mr. Davies.

It seems not inappropriate at this time to refer to an incident characteristic of Mr. Davies and quite in harmony with his mental traits as you have so happily de-

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scribed them, illustrating Mr. Davies' ability to fairly and justly appraise the value of the ideas and plans of another, no matter how humble their origin, even to the extent of accepting them in displacement of his own plans. The incident to which I refer occurred when your firm was engaged in the reorganization of a certain concern which conducted important public functions in a city some distance from New York. Associated as counsel with your firm was a lawyer of that city but of nationwide practice and reputation who, like Mr. Davies, has passed from his labors here and whose memory will remain a cherished possession of those members of the Bar who were so fortunate as to have known him.

In the course of the work a doubt arose in the mind of counsel as to the legality of a certain step which appeared essential to the carrying out of the plan. At this stage Mr. Davies, although convinced of the correctness of position of your firm, was much disturbed at the prospect of dissent of counsel and gave instructions that a brief

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he prepared and an appointment made for a conference between himself and counsel so that he might satisfy counsel that the doubt was not well founded.

At this time a suggestion by a clerk of a different and much simpler method of meeting counsel's objection was brought to Mr. Davies, who promptly discarded his own plan, accepted that of the clerk and sent him on the important mission, and, when the clerk returned with a report of success, Mr. Davies was the first to congratulate him.

It is a privilege for which I am grateful that an opportunity has been given me to review in thought with you the intimate relations with Mr. Davies which you have so graphically portrayed, and it is with much gratification that I realize that the legal profession will have for all time the portrait of a lawyer and a gentleman painted from such a model and by a master hand.

Sincerely yours,

ARTHUR N. TAYLOR.

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From Paul Tuckerman, New York, N. Y.

NEW YORK, N. Y., *October 4, 1921.*

GENTLEMEN:—On my return to my office after an absence, I find the copy of Mr. Auerbach's Memorial of Mr. Julien T. Davies, which you were kind enough to send me.

I have read it with very great interest, as through my association with Mr. Davies on the Board of the Mutual Life Insurance Company I had formed a very high opinion of his character and the charm of his personality.

With many thanks, believe me,

Yours very truly,

PAUL TUCKERMAN.

*From Chas. Thaddeus Terry, New York,
N. Y.*

NEW YORK, N. Y., *October 4, 1921.*

GENTLEMEN:—Permit me to extend to you my cordial thanks for the Memorial prepared by Mr. Auerbach in connection with our departed brother, Hon. Julien T. Davies.

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May I in passing express my high appreciation of the fine form and substance of the Memorial? I could not give it higher praise than to say, as I do, that it sustains the same high note as that of the character which it describes.

With added thanks, I am,

Very faithfully yours,

CHAS. THADDEUS TERRY.

From Sherman L. Whipple, Boston, Mass.

BOSTON, MASS., *October 4, 1921.*

DEAR MR. AUERBACH:—I am grateful to you for sending me the Memorial of Mr. Davies. I value the opportunity to renew, as it were, my recollections of a friend.

Sincerely yours,

SHERMAN L. WHIPPLE.

From Mrs. Wm. S. Andrews, Onondaga, N. Y.

ONONDAGA, N. Y., *October 5, 1921.*

MY DEAR MR. AUERBACH:—When I reached home from Canada two days ago I found the copy of your book about our

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beloved Mr. Davies. I had seen it reviewed and meant to send for it, but to have it in this way is a thousand times better than I had hoped.

It bears the mark and carries the atmosphere of what it surely is, a labor of love, but yet the labor of such a critical and analytic mind as few friends can bring to such a task. It made me feel keenly, all over again, how irreparable a loss he was. And I am so proud of having been his friend. I think of him always as perhaps wearing more clearly than any other of his great qualities, his poise and serenity. "There was no hurry in his hands, no hurry in his feet," and to me, Southern and troubled by the rush of things, it was a tremendous charm. Yet he was vivid in everything. There never was such charm, such poise, such finish, such unfailing kindness. I shall never forget long days, fishing, on his boat at Great South Bay, and talks with him, sailing home in the twilight. I shall be grateful always for the wonder of having so known such a man.

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Please let me thank you, very literally, with tears in my eyes, for sending your beautiful little book.

I am,

Very sincerely yours,

MARY R. SHIPMAN ANDREWS.

From Archibald L. Bouton, New York, N. Y.

NEW YORK, N. Y., October 5, 1921.

MY DEAR MR. AUERBACH:—When I returned from my summer vacation about two weeks ago, I found on my desk the beautiful little volume that you have written about Mr. Davies. These weeks have been such busy ones, with our problems of selective admission what they are now, that I was unable to read the book till a few days ago.

I want to take this opportunity to thank you for sending it to me and to express the keen pleasure that I have had in reading it. I am glad to know more of Mr. Davies' life and character and especially to have the account told with the warmth

TO HIS MEMORY

and beauty with which you have invested it.

I am glad you thought to send me the book. I can imagine how much pleasure you took in its typographical form.

With cordial greetings and good wishes,

Sincerely yours,

ARCHIBALD L. BOUTON.

From Albert D. Ayres, Reno, Nev.

RENO, NEV., *October 5, 1921.*

DEAR SIR:—We are pleased to extend to you our thanks for having a copy mailed to us of your Memorial to Julien T. Davies. We have carefully read this and found it not only a pleasure, but an inspiration. Such a Memorial analyzing the traits of a great and good man like Mr. Davies certainly is a tonic to the mind and a great help to those of us who at times feel a mental fag due to the want of an inspiration.

Very truly yours,

AYRES & GARDINER,

By ALBERT D. AYRES.

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From Wm. N. Dykman, Brooklyn, N. Y.

BROOKLYN, N. Y., *October 6, 1921.*

MY DEAR AUERBACH:—I have received from you Memorial of Mr. Davies and have read it with great interest. He was my firm friend of many years' standing and I have had great delight in reading your appreciation of him.

I am, my dear Auerbach,

Faithfully yours,

WM. N. DYKMAN.

From The Rev. Alexander Mann, Boston, Mass.

BOSTON, MASS., *October 6, 1921.*

MY DEAR SIR:—Will you pardon a type-written line and allow me to thank you for your courtesy in sending me a copy of your Memorial of Julien T. Davies which I have read with much interest.

For many years I sat on the same Board of Missions with Mr. Davies, and I am very glad to possess this Memorial of a wise counsellor and a most courteous gentleman.

Yours sincerely,

ALEXANDER MANN.

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From Edmund L. Baylies, New York, N. Y.

NEW YORK, N. Y., *October 6, 1921.*

DEAR SIRs:—On my return to New York from a long vacation I find a printed copy of the Memorial to the late Julien T. Davies prepared by Mr. Auerbach. As an old friend of Mr. Davies, I was greatly pleased to receive this Memorial, and wish now to express my thanks to you for sending the same to me.

Yours very truly,
EDMUND L. BAYLIES.

From Frederick E. Wadhams, Albany, N. Y.

ALBANY, N. Y., *October 7, 1921.*

GENTLEMEN:—I received some time ago a copy of the Memorial of Julien T. Davies, which you so kindly sent me. I have read it with much interest and from my acquaintance with Mr. Davies and my knowledge of his work I am sure he well deserved the tribute which the Memorial furnishes. I know of the standing which he had at the Bar and the reputation which

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he gained in the practice of the law, and it was of such a high character as to impress all who knew of his work of the enviable position which he maintained throughout his entire career.

I thank you very much for sending me a copy of the Memorial and want to apologize for not having sooner acknowledged its receipt.

With assurances of my personal high regard, I am

Very truly yours,

FREDERICK E. WADHAMS.

From The Hon. John Hall Kelly, New Carlisle, Quebec.

NEW CARLISLE, P. Q., October 7, 1921.

DEAR MR. AUERBACH:—There are some things that we read that leave a lasting impression. Your Memorial to the late Mr. Davies has impressed me as few such writings do. I feel the better for having read it and I am sure it will be so with many others. Mr. Davies must have been a great and noble man, otherwise the inspiration

TO HIS MEMORY

that flows through every line of your work would have been lacking. I thank you for having thought of sending me a copy.

Very sincerely yours,

JOHN HALL KELLY.

From J. V. B. Thayer, New York, N. Y.

NEW YORK, N. Y., October 7, 1921.

DEAR SIRs:—Permit me to thank you most cordially for sending me a copy of Mr. Auerbach's beautiful tribute to the memory of the late Julien T. Davies.

I read it with deep interest last evening and was so impressed with Mr. Davies' remarkable ability, public spirit and many fine qualities that I was possessed with a feeling of regret that it had not been my good fortune to have had the advantage of knowing him personally and to receive the inspiration that such a man always imparts to those who come within the sphere of his influence.

Very truly yours,

J. V. B. THAYER.

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From Herbert I. Foster, New York, N. Y.

NEW YORK, *October 7, 1921.*

MY DEAR MR. AUERBACH:—Please accept my most sincere thanks for the little volume which you sent me. I did not acknowledge its receipt sooner because I wished to read it very carefully in order to be able to express to you my appreciation of the remarkable thought and diction which you have incorporated in the Memorial. With many thanks, I am,

Yours very truly,

HERBERT I. FOSTER.

From Dr. Geo. David Stewart, New York, N. Y.

NEW YORK, N. Y., *October 8, 1921.*

DEAR MR. AUERBACH:—Thank you for a copy of your Memorial to Mr. Davies. I have enjoyed reading it very much indeed. I miss Davies as a neighbor and companion more and more and Great River is not nearly so enjoyable or agreeable since he went away. Renewing my thanks,

Yours most sincerely,

GEO. DAVID STEWART.

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*From The Hon. Wade H. Ellis, Washington,
D. C.*

WASHINGTON, D. C., *October 8, 1921.*

MY DEAR MR. AUERBACH:—I am just back at the office after several months' vacation, and the first gift to greet me on my return to work, waiting on my desk like some kindly spirit to renew my faith in the virtue of high endeavor, is the little volume in which you have described with such fine taste and felicity the distinguishing characteristics, as a lawyer and a citizen, of the late Julien T. Davies.

I read the Memorial at once, and then turned to the daily things at hand with something of a quickened purpose and a fresher hold. This incident alone, as nothing else I can think of, constitutes a high tribute to the worth of any man—that a review of his life and services being presented to another shall cause the latter "seeing, to take heart again."

There are two passages in this book which, to my mind, mark in striking fashion the central concept of the story, and

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bring out in clear relief the sturdy character of him in whose memory it is written. The first of these is your own happy expression: "He had not alone an ardent sense of fidelity to the client, but of honorable obligation to the court"; and the second occurs in Mr. Davies' tribute to the ideals of the profession, as quoted from his address before the Bar Association of the City of New York, in which he distinguishes, so aptly, the real lawyer who enjoys the sense of service in his work and prizes the rewards of intellectual achievement, from "the mere broker in legal business." In these days when success is often emulated above methods, and commercialism intrudes its sordid presence into the most sacred precincts, it is stimulating to recall a learned and courageous leader of the Bar whose very life was a protest against any lowering of the standards of the profession he loved.

During the last ten or twelve years I had come to know Mr. Davies as the head of one of the busiest offices with which my

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own engagements brought me into association, and I counted it always a great privilege, as occasion offered, to put aside the immediate problem before us in order to enjoy the treat of his intellectual companionship. He was never so absorbed in the prose of life as to let its poetry escape; he was never so occupied with facts as to forfeit fancy. Indeed, he probably agreed with Browning's fine line in "The Ring and the Book" that

"Fancy with fact is just one fact the more."

It was because I knew him thus, though denied the intimate and long acquaintance which you enjoyed, that I can appreciate your reference to Mr. Davies as one who could say with Whitman: "I am afoot with my vision." And so he was—a great lawyer, resourceful in combat, practical and purposeful, but holding always to an idealism that colored every thought and action—his feet upon the earth but his vision ever lifted to the finer heights.

In summing up the life you have so

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faithfully portrayed, buffeted by honorable conflict, saddened by poignant griefs, and crowned with a sweet and serene nature, there comes an adaptation of Goldsmith's familiar metaphor:

"Though round his breast the rolling clouds were
spread,
Eternal sunshine settled on his head."

Very truly yours,
WADE H. ELLIS.

From Churchill H. Cutting, New York, N. Y.

NEW YORK, N. Y., October 9, 1921.

DEAR MR. AUERBACH:—Many thanks for the thoughtful kindness of sending me a copy of your Memorial to Julien T. Davies. I have read it with much interest, since it always is a pleasure to learn of such men and also because it displays your own gracious qualities of heart and of mind.

With sentiments of high regard, I beg to remain,

Most cordially yours,
CHURCHILL H. CUTTING.

TO HIS MEMORY

*From Mrs. Wm. M. Wood, Pride's
Crossing, Mass.*

PRIDE'S CROSSING, MASS., *October 10, 1921.*

DEAR MR. AUERBACH:—I thank you very much for sending me your little Memoir of Mr. Davies. It was most kind of you to remember me.

I have read it with great interest and profit, for it has helped me to understand better one whom I had always admired.

You must sadly miss your yokefellow of so many years, yet it must be a great satisfaction to have such a background of rich associations to return to in memory.

Thanking you again and with kind regards, I am,

Sincerely yours,

ELLEN A. WOOD.

From Howard E. Rider, New York, N. Y.

NEW YORK, N. Y., *October 10, 1921.*

DEAR MR. AUERBACH:—I feel especially favored to be a recipient of your "Memorial of a Leader of the Bar" to Mr. Davies. I had a sense of increasing admiration of

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the man as I turned the pages of this tribute, and it may be permissible to say, a feeling of gratitude to the author. A man of Mr. Davies' type cannot help but be an inspiration to higher ideals to those who knew him intimately, and the expressed appreciation of his qualities put into the hands of those who were not privileged to know him so intimately, increases the human circle touched and benefited by his life.

Accept my thanks for being among those favored with a copy of this tribute.

Very sincerely,

HOWARD E. RIDER.

From John B. Pine, New York, N. Y.

NEW YORK, N. Y., *October 10, 1921.*

DEAR MR. AUERBACH:—Permit me to thank you for sending me a copy of your Memorial of Julien T. Davies. As one who knew him well, and greatly admired his fine qualities, I am grateful to you for having written so beautiful and well-deserved tribute to the man. You have done

TO HIS MEMORY

him no more than justice as a man and as a lawyer, but I wish you could have had before you the sketch of Davies which I wrote for the Alumni News, in which I naturally dwelt upon his unswerving loyalty and unfailing generosity as an alumnus of Columbia University. In this relation I think that he showed some of his finest qualities, and I feel, as many of our alumni do, that the University, as well as the Bar and the city, should hold him in highest honor.

Yours faithfully,

JOHN B. PINE.

*From Judge Chester B. McLaughlin,
Albany, N. Y.*

ALBANY, N. Y., October 10, 1921.

MY DEAR MR. AUERBACH:—I have just finished reading your Memorial of Mr. Davies. It is a splendid tribute, adequately portraying the career of a great lawyer and a citizen of the highest type.

As you well know, my relations with him were quite intimate for many years, during

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which time I enjoyed his good fellowship and learned his sterling qualities. For nearly twenty years, each year brought me an invitation from him to attend on opening day for guests, at that delightful place, the South Side Club. On those occasions when we had taken the limited number of fish, we would go to the different ponds or stroll through the woods. I was then charmed by his discourse and comments on the various affairs of life, including many things connected with his professional career. Each year for several years I spent one or two days with him at Great River, where he demonstrated he could shoot as well as fish. My visits with him at the South Side Club and at his own home will always remain bright and pleasant spots in my memory.

I thank you for sending me a copy of the Memorial and also for so beautifully portraying one whose qualities I so much admired, and whose friendship I so highly valued.

Yours sincerely,

CHESTER B. McLAUGHLIN.

TO HIS MEMORY

From Emil Pensel, New York, N. Y.

NEW YORK, N. Y., *October 10, 1921.*

DEAR MR. AUERBACH:—Having been unable to see you so that I can thank you in person, please allow me to inform you how much the Memorial of Mr. Davies is appreciated by me. My recollections of Mr. Davies will remain with me always. No finer tribute could be given anyone who knew him than to state he was always considerate and kind. I can recall many of them. Again thanking you for remembering me, I remain,

Very truly yours,

EMIL PENSEL.

*From The Hon. L. B. B. Colt, Washington,
D. C.*

WASHINGTON, D. C., *October 14, 1921.*

MY DEAR MR. AUERBACH:—It was very thoughtful of you to send me your Memorial address on Mr. Davies. Your tribute is not only beautiful but true, and I deeply appreciate your remembering me.

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With my warmest personal regards, believe me,

Very sincerely yours,

L. B. B. COLT.

*From Solicitor-General James M. Beck,
Washington, D. C.*

WASHINGTON, D. C., October 19, 1921.

MY DEAR MR. AUERBACH:—I read with deep and sympathetic interest your tribute to your former partner. In this working-day world of ours, it is a pleasant thing to see a man thus remember an honored associate with whom he has worked for many years.

Mr. Davies well deserves your tribute. He was a very learned lawyer, and at the same time was not overweighted by mere book learning; but was able to apply his grasp of the law to practical problems, by reason of his keen insight into the current of affairs and his sympathetic knowledge of his fellow men.

He and I were associated for many years on the Board of the Mutual Life

TO HIS MEMORY

Insurance Company, and the memory of that association and of our comradeship at the Bar of New York will always remain gratefully with me.

Yours faithfully,

JAMES M. BECK.

From Henry A. Whiting, Baltimore, Md.

BALTIMORE, MD., *October 20, 1921.*

MY DEAR SIR:—I thank you sincerely for your kind courtesy in sending me a copy of Mr. Auerbach's excellent and sympathetic Memorial of my dear classmate Julien Tappan Davies, which I only received a few days ago upon returning from my summer outing in the Catskill Mountains.

Even in the young life of our college days this man of ever generous spirit, for whom we now all mourn, stood forth among his fellows for his exceptional talents, his steadfast uprightness, and the charm of his lovable nature.

I was not privileged to come again into personal relation with Mr. Davies from the

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time of our class reunion in June, 1869, until that held in June, 1919, in celebration of the fiftieth anniversary of our graduation, because during that interval my life was cast on the Pacific Coast and in the South. During these long years of our separation, however, I had kept him in friendliest remembrance, and had felt admiration for his fine achievements as word of them came to me from time to time across the wide continent.

It was therefore with especial pleasure that I met him again in June, 1919, on the occasion of our semi-centennial class reunion which was brought about chiefly through Davies' own earnest and generous efforts, and which we attended as his guests. At this meeting I was touched by his warm greeting, and by his finely and delicately expressed personal sympathy in the handicap caused by my loss of sight, and of which his sensitive nature was so keenly and generously appreciative.

I shall never forget our class reunion with him, in June, 1919, at his beautiful

TO HIS MEMORY

home on Long Island. That reunion, the last we were to enjoy with him, was a singularly happy one, the memory of which I shall cherish to the end. In the more intimate atmosphere of his beautiful home life all the finest and most lovable qualities of his nature found freer and fuller expression and more than ever I felt the charm of his high-minded and gracious personality, and wished that our respective lots in life had not been cast so far apart.

To me, who then had knowledge for the first time, through his devoted daughter, of the many and deep sorrows that had come into his life, his brave endurance, and uplifting of spirit were an inspiration. He was one of those rare characters who had made out of his own great griefs a song that was full of high incentive to others. My esteem, moreover, was further heightened by recognition of the way in which he had borne himself in all the long years of professional and material successes, in the accomplishment of which the strain upon the upbuilding of fine character

THE TRIBUTES

is so great. He did indeed bring honor to the high profession he so adorned.

Again thanking you for Mr. Auerbach's finely appreciative Memorial, every high commendation in which will find an answering echo in the hearts of the many who loved and honored this noble man and able leader of a great Bar, I remain,

Very sincerely yours,

HENRY A. WHITING.

From Everett P. Wheeler, New York, N. Y.

NEW YORK, N. Y., October 20, 1921.

DEAR MR. AUERBACH:—I have just read with great interest your sketch on Julien T. Davies. It gives as true a picture of the real man as that of his outward form, which is prefixed to your little volume.

Of the few surviving founders of the Bar Association he and I were the only two present at the fiftieth anniversary. I listened with great satisfaction to his admirable address, from which you have so aptly quoted. I knew his father too and feel that they were both men whose death

TO HIS MEMORY

was a great loss to the Bar and to the public.

Yours faithfully,
EVERETT P. WHEELER.

From W. deF. Haynes, New York, N. Y.

NEW YORK, N. Y., *October 20, 1921.*

DEAR MR. AUERBACH:—I have somewhat recently returned to town and read your Memorial of Mr. Davies. Of course, I had known of Mr. Davies' eminent position as a lawyer and great talents, and the many high and amiable traits of character, which you so agreeably dwell on, were charming in themselves and calculated to endear him to those who knew him intimately.

With a great fondness for the out-of-doors, and where can that be better appreciated than from a duck-blind on one of our attractive Long Island marshes, he greatly enjoyed duck shooting, being an excellent shot, as you say, and a keen fisherman. I am sure, however, that he counted more the opportunity of renewing

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from time to time his old acquaintance with nature than he did the sports themselves. Does not this show the nature of the man?

Your tribute to him must always be a source of satisfaction to his friends. Many thanks for the copy you have sent me.

Sincerely yours,

W. DEF. HAYNES.

From F. J. Richmond, Gaspe, Quebec.

GASPE, QUEBEC, October 21, 1921.

DEAR SIR:—Please accept my thanks for the copy of the Memorial of the late Julien T. Davies which you so kindly sent me.

Although Mr. Davies was unknown to me I have read the sketch of his life with interest; one cannot but regret when reflecting upon such careers how unfortunate it is that good and useful members of a community are as a rule shorter lived than the nondesirable class; however, as we are unable to exercise control over the causes

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governing life and death, it is simply waste of time speculating concerning them.

I remain,

Yours sincerely,

F. J. RICHMOND.

From Judge G. O. B. Hasbrouck, Kingston, N. Y.

KINGSTON, N. Y., *October 22, 1921.*

DEAR MR. AUERBACH:—No one can read your sketch of the life of Julien T. Davies without a sense of the charming delicacy in which it is expressed and of the aloofness of view which presents so just an estimate. The art of it thrilled me easily for I have sorrowed over the passing of a man whose nature was so sensitive that he could tell me of his friendship without words. Frequently he came into the Attorney General's office where as a young man I learned to know him. He never traded on my admiration. He appeared always to be standing for the right as he saw it, and when one heard him he was so persuasive that it was difficult not to yield to the

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magic of his professional mastery. I have whipped the streams where he has sought diversion and invoked the prophets where he has sought the truth. From afar I have marvelled at the many-sided man—marvelled that one so learned, with such a sense of proportion, so powerful in analysis, so courageous in the fight could yet remain the type so highly commended by Epicetus—a modest man.

Sincerely yours,

G. O. B. HASBROUCK.

*From Mrs. Frederic H. Hatch, Woodmere,
L. I.*

WOODMERE, L. I., N. Y., *October 24, 1921.*

MY DEAR MR. AUERBACH:—I have just finished reading your Memorial to Mr. Davies. It has opened a new point of view to me of how truly great the work of a great lawyer can be. It is an inspiration to me for courage and high thinking. Thank you many times for letting me put it in my library.

Faithfully yours,

MAY D. HATCH.

TO HIS MEMORY

From G. W. Bacon, New York, N. Y.

NEW YORK, N. Y., *October 24, 1921.*

MY DEAR JOE:—Thank you very much for sending me a copy of your tribute to Mr. Davies. It is difficult to preserve, as you have, in the printed word the personality at once so gifted and generous and yet so marked by open simplicity which I came to know in the very first years of my engineering work here. As an adviser he was all encompassing and I like to think as a boy from college that my first experience with the constructive processes of the law came as the result of his searching and clear analysis; for me he created a peace time commodity of what as a youngster I had always thought was meant primarily for war.

He anticipated the work of the courts through what must have been profound legal groundwork, keeping in the far background sufficient cause for future controversy.

It is a privilege to be able to preserve the expression of this inspiring personality

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which your own gifts and life association have made possible.

Sincerely yours,

G. W. BACON.

From Frederic H. Hatch, New York, N. Y.

New York, N. Y., October 25, 1921.

MY DEAR JOE:—I very much appreciate the opportunity you have given me of reading

JULIEN T. DAVIES

Memorial of a Leader of the Bar

I feel that to have inspired so fine a tribute from an intimate associate was alone worth while.

Yours sincerely,

FREDERIC H. HATCH.

From Robert S. Sloan, Woodmere, L. I.

WOODMERE, L. I., October 28, 1921.

MY DEAR JOE:—I have read with a great deal of interest your very worthy Memorial to your old friend and associate, Julien Davies.

While I was greatly impressed with his character as a man, in my relations with

TO HIS MEMORY

him professionally, your high esteem of his many virtues, makes me regret that I did not have the opportunity of knowing him more intimately.

He undoubtedly inherited from his father, Judge Davies, that charm of manner belonging to the old school of gentlemen, which is sadly lacking in the present generation.

During the period that I saw him, he was in great anxiety regarding his son, who was ill, and he himself was troubled with a bronchial affection, but he was apparently able to ignore these personal troubles when I went to him for advice and to concentrate his mind on what concerned me.

Thanking you for this Memorial, believe me, always,

Affectionately yours,

ROBERT S. SLOAN.

From W. W. Richards, New York, N. Y.

NEW YORK, *October 28, 1921.*

DEAR MR. AUERBACH:—I have just received your Memorial of my old friend,

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Julien T. Davies. Many thanks to you for sending it to me. I don't know anyone else as competent as you to write this Memorial and I anticipate much interest in reading it.

Some sixty-five years ago Julien's father said to me: "William, I want to live as long as I have full possession of my faculties and a reasonable amount of good health, and no longer." Judge Davies said what most of us feel when we reach old age—as I have.

Sincerely yours,
W. W. RICHARDS.

*From Judge Henry Wade Rogers, New York,
N. Y.*

NEW YORK, N. Y., *October 28, 1921.*

GENTLEMEN:—On coming to my Chambers this October, at the close of my vacation, I found the Memorial volume of Julien T. Davies prepared by Mr. Auerbach and sent me with the compliments of your firm. This volume did not come to my notice during the summer—not having been forwarded to me. I desire now to express my appreciation of your courtesy in for-

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warding the interesting volume which I have recently read. I never met Mr. Davies but once, but I was impressed at that time by his personal charm and I am, of course, fully informed as to his high standing in the profession in this city.

Faithfully yours,

HENRY WADE ROGERS.

From James Speyer, New York, N. Y.

NEW YORK, N. Y., November 2, 1921.

MY DEAR MR. AUERBACH:—On my return from Europe, I found the handsome Memorial to Mr. Davies which you were kind enough to send me. I have read it with a great deal of interest. I was very fond of Mr. Davies, and wish to congratulate you on this very appropriate and beautifully written tribute.

With many thanks for remembering me,

Sincerely yours,

JAMES SPEYER.

From F. L. Hine, New York, N. Y.

NEW YORK, N. Y., November 3, 1921.

DEAR MR. AUERBACH:—I thank you for sending me a copy of your Memorial to

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Mr. Julien T. Davies, for whom I entertained great admiration and respect. Your tribute to him is more than deserved and is certainly well phrased.

Yours faithfully,

F. L. HINE.

From H. K. Knapp, New York, N. Y.

NEW YORK, N. Y., November 3, 1921.

DEAR JOE:—Your tribute to your old partner, Julien T. Davies, is manifestly honest. It breathes the sincerity of one who speaks straight from the heart on a subject known to the core.

As to Mr. Davies' legal attainments, the world has for years acknowledged their great excellence. To me another quality in him appealed,—the quality of Youth. His mind, so experienced was always a mind filled with the vigor and viewpoint of Youth. This characteristic made him a constant inspiration to those younger or older than himself. Those younger felt in him a conscious sympathy; those older felt they were again brought in contact with something they had lost.

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The last time I saw Julien Davies, was at the South Side Club. As I came in he grasped me by the hand, gave me a word of good cheer, and passed on with his bass rod in his hand. As he walked away, I wondered that one who so recently had borne so many heavy burdens could bear himself so gallantly. That last picture has remained vivid in my memory and has, I think, helped me to struggle on when the instinct to persevere was none too urgent.

Sincerely,

H. K. KNAPP.

From John R. Abney, New York, N. Y.

NEW YORK, N. Y., November 3, 1921.

DEAR SIRs:—Please accept my thanks for The Memorial of a Leader of the Bar, which you were good enough to send me.

Mr. Davies and I were sometimes on different sides of cases, and our opinions on some questions were quite different. But that did not prevent my appreciation of his many high qualities; and hence I am glad to have this fine tribute to him.

Yours sincerely,

JOHN R. ABNEY.

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From The Rev. J. W. Weyman, Gaspe, Quebec.

GASPE, QUEBEC, November 6, 1921.

DEAR MR. AUERBACH:—Pray forgive me for not having written before now to thank you for your kindness in sending me a copy of your “Memorial of Julien T. Davies.” Although my thanks are late, my gratitude is sincere. It was my good fortune to spend a few days with Mr. Davies on the St. John River in 1915, and I think that I shall always remember those days as among the happiest of my life. I have before me as I write a trout fly which Mr. Davies gave me when he said good-bye and which I then and there determined not to use but to keep in memory of the giver. It was a real grief to me when I heard from Judge Stevenson of Mr. Davies’ death. I am more than glad to have your attractive booklet and to have learned from it more about the life of one whom in the course of a few days’ acquaintance I had come to admire and love. Thank you very much indeed. With kind regards,

Very sincerely yours,

J. W. WEYMAN.

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*From James Duane Livingston, New York,
N. Y.*

NEW YORK, N. Y., November 7, 1921.

DEAR MR. AUERBACH:—I am very grateful to you for sending me the copy of your Memorial of Julien T. Davies.

It was my privilege to be associated with Mr. Davies in several interesting and important matters connected with Columbia University.

I had a very high respect for Mr. Davies and always found him sympathetic with anything that had to do with the advancement of Columbia University.

I am, therefore, particularly indebted to you for this remembrance.

With kind personal regards, I am,
Very truly yours,
JAMES DUANE LIVINGSTON.

*From The Hon. Walter C. Noyes,
New York, N. Y.*

NEW YORK, N. Y., November 7, 1921.

DEAR MR. AUERBACH:—I am much obliged to you for sending me your Memorial of Mr. Davies, which I shall be glad to read.

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Mr. Davies was a most distinguished member of the Bar and a most interesting man.

Sincerely yours,
WALTER C. NOYES.

From John D. Lyons, Monticello, N. Y.

MONTICELLO, N. Y., November 19, 1921.

MY DEAR MR. AUERBACH:—I wish to thank you for the Memorial of Mr. Davies. It is a touching tribute from a fit source.

The passing on of Mr. Davies is a loss irreparable to the Bar, but I am sure this Memorial will inspire many to an endeavor to maintain his professional standards.

Very sincerely yours,
JOHN D. LYONS.

From Stuyvesant Fish, Glencllyffe, Garrison, N. Y.

GLENCLYFFE, GARRISON, N. Y., November 20, 1921.

MY DEAR MR. AUERBACH:—I would long before this have written to thank you for the copy of your address before the Bar Association on the late Mr. Julien T.

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Davies, had it not been that at the time your firm sent it to my office, I was very much engaged with the details of another Memorial and therefore laid yours aside for a "convenient season," which has but now arrived. Needless to say I have read it with interest and appreciation and am thankful for the opportunity.

Davies graduated from Columbia before I entered, but in the Alumni Association and otherwise, I saw a good deal of him in my early manhood, of course heard much more of him as he rose in the profession of the law, meanwhile seeing more or less of him and the members of his family socially. You have done a good work and rendered a well-deserved tribute.

With renewed thanks,

Very sincerely yours,

STUYVESANT FISH.

*From Willard Parker Butler, New York,
N. Y.*

NEW YORK, N. Y., November 21, 1921.

MY DEAR MR. AUERBACH:—I thank you for sending me the reprint of your Memorial

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of Mr. Davies, reprinted from the Bar Association Year Book.

I read it with great pleasure and satisfaction in the Year Book, and now I have reread it, in this attractive form, with even more pleasure.

I think you have been most successful in presenting a picture of Mr. Davies' career and his professional achievements, as well as of his delightful personality and beautiful character. I congratulate you on the Memoir, and I am sure it will be appreciated by the members of the Bar, as well as Mr. Davies' many personal friends.

My acquaintance with him began in childhood, but my more intimate contact with him came about in the year 1885, when he asked me to come into the case of *National Hat-Pouncing Machine Co. v. Thom*, 25 Fed. Rep., 496, to assist him in the preparation of the brief.

I shall never forget the pleasure of being associated with him in that case, and the delightful relations which it led to,

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which continued up to the time of his death.

With renewed thanks,

Sincerely yours,

WILLARD PARKER BUTLER.

From The Rev. Percy Stickney Grant, New York, N. Y.

NEW YORK, N. Y., November 21, 1921.

DEAR MR. AUERBACH: — Mr. Davies greatly impressed me the first time I saw him. I had just come to New York, twenty-eight years ago, and had him pointed out to me at the Century Club, where he was in his shirt sleeves, playing a game of billiards. My informant, an old New Yorker, gave me bits of his history; especially his distinguished professional success on behalf of the Manhattan Railway Company, in restricting the amounts reasonably recoverable against it for damages to property abutting on the streets occupied by the Elevated structures, after he had established in the Courts their liability for such damages.

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I was also attracted by his personal appearance—his beauty of head and face—and I was always intrigued by the ease with which he took his professional life—even in the years of his greatest success. I liked, too, in conversation with him the clear way in which he stated his thought.

Mr. Davies, although not a large man, had talents and vitality in such abundance that he did not need explosions from impatient rudeness, in his dealings with other people, even in difficult business, but could handle matters always quietly and courteously and yet successfully.

Afterward I came to be greatly touched by the sorrows of his life—the death of Mrs. Davies, the loss of three children, in their youth, and of two grown sons. These sons I knew enough greatly to admire. I felt keenly the shock and the sorrow of their death.

I wish it were more of a habit of those close to men of great ability, character and force, even if they themselves are of equal or superior power, to write brief but care-

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ful memorials. There should be some especial place for this most precious and intimate form of biography, out of which the future might secure some of its best historical material. There are too many two-volume biographies and not enough brief, straightforward, sincere appreciations, like yours about Mr. Davies.

I want to congratulate you again on furnishing a model for a friend's story of a valuable life.

Very truly yours,

PERCY STICKNEY GRANT.

*From Judge Benjamin N. Cardozo,
New York, N. Y.*

NEW YORK, N. Y., November 25, 1921.

DEAR MR. AUERBACH:—Your Memorial of Julien T. Davies is delightful in its grace of form, moving in the currents of deep feeling which one can see beneath its surface, and, above all, fitting and inspiring in preserving the tradition of a fine and helpful life.

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Mr. Davies was above all other things the lawyer; and as one views the picture of him which you have drawn with so much skill, one gets a new sense of the truth that to be a lawyer, and a loyal and great one, is no narrow thing at all, but an achievement that touches life at many points, and is rich in its opportunity for sacrifice and service.

I am sure that he would be glad, if he were here, to have us draw that lesson from his life, and that he would be grateful to you, as am I, for teaching it with such impressiveness and power.

Believe me, with high regard,

Very faithfully yours,

BENJAMIN N. CARDOZO.

*From The Hon. H. A. Gildersleeve, New York,
N. Y.*

NEW YORK, N. Y., December 7, 1921.

MY DEAR AUERBACH:—I thank you for a copy you kindly sent me of your Memorial to Julien T. Davies. I have read it with great interest and satisfaction. It is an

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admirable tribute to a lifelong associate and beloved friend.

Mr. Davies' virtues were very many; his successful achievements so numerous and covered such a broad field of endeavor that your task was unusually difficult. The Memorial has the quality of completeness and is free from exaggeration and fulsome eulogy. I congratulate you upon a work of love, done wisely and well.

I warmly welcome the opportunity to write you a few lines concerning Mr. Davies as I knew him.

I first met Julien about the year 1866 through an introduction by his distinguished father, long since passed away. His father's life was spared sufficiently long to see his son reach maturity and become one of the leaders of the New York Bar and an exemplary citizen. Our relations soon developed into a close and lasting friendship. I had opportunities to observe his devotion to his clients, his courtesies to his opponents and his marked ability in handling intricate and hotly contested liti-

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gation. His calmness and self-control enabled him, on all occasions, to make use of the best that was in him.

Through the vision of memory, I can see him now in the days when property owners by the hundreds were seeking damages against the Manhattan Railway in court surrounded by eager lawyers denouncing the road and its counsel, stand cool and unperturbed and in superb manner and forceful utterance proclaim his client's rights. Though not of large stature, he was finely proportioned, erect and of a commanding figure, luminous eyes, and all in all, a handsome man.

He had few equals as an advocate. In logical reasoning, clear and vigorous statement I cannot recall an equal at the New York Bar of his day.

It gives me great pleasure to confirm what you say of Mr. Davies' diversions. Many a time have I witnessed his dexterity as a fisherman and his skill with the shotgun. I have never met a more zealous, genial and companionable sportsman than

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Mr. Davies. He was a great lover of nature in all her aspects; the groves, the fields, the streams, the pure air and life-giving sunshine were his delight. As a fellow sportsman his generosity was without limit. He always insisted that I should have the point of vantage in the field and on the stream.

He did not place his affections lightly, but once bestowed they were warm and enduring. His memory will be cherished by all who knew him.

Very truly yours,

H. A. GILDERSLEEVE.

From F. Stallforth, New York, N. Y.

NEW YORK, N. Y., *December 14, 1921.*

DEAR MR. AUERBACH:—I have read with sincere appreciation your beautiful Memorial of Julien T. Davies. The fine words which you have chosen express in a noble spirit the profound admiration we all had for the personality of our late friend, who so rightly enjoyed the affection of every-

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body who knew him. You certainly have justified the remark Governor Miller makes in the Prefatory note: "I know of no one better able to speak of him, his work and high ideals than the author of this Memorial."

Very sincerely yours,
F. STALLFORTH.

From Wm. S. Pettit, Far Rockaway, N. Y.

FAR ROCKAWAY, N. Y., *December 14, 1921.*

DEAR MR. AUERBACH:—I thank you for sending me a copy of your Memorial to Julien T. Davies. Mrs. Pettit and I read the little volume with great interest. No more fitting memorial could be erected to the memory of one of America's foremost lawyers than that which records the unselfish, noble and fruitful life depicted by an associate and fellow worker.

I first became acquainted with Mr. Davies at the Columbia College Alumni meetings fifteen years or more ago. His genial, kindly, sympathetic nature—yet

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with all his strength of character and sound legal learning—made a lasting impression upon me. Mr. Davies was always an inspiration to us young lawyers, and I for one sought to emulate him. He was so courteous and approachable that we felt that he was one of us; nor did we ever hesitate to ask his advice or guidance, which was so freely given.

Mr. Davies' death will cause a void in the local and State Bar Associations, where his logical discussions were always so effective.

“He was a man, take him for all in all
I shall not look upon his like again.”

Sincerely,

WM. S. PETTIT.

From Clarence H. Kelsey, New York, N. Y.

NEW YORK, N. Y., December 31, 1921.

MY DEAR MR. AUERBACH:—This is a very fine Memorial to Mr. Davies which you have prepared and I appreciate your send-

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ing a copy to me. I shall prize it highly. Of course, I was not associated with Mr. Davies in the same intimate and personal relation that you were, but for more than thirty-seven years I was associated with him in a business way and grew to know his fine qualities and possess, I think, his sincere friendship. We served on committees together and co-operated in many ways. We did not always agree on matters of detail but we always did, I think, on matters of principle. His judgment was sound, his vision clear, and his courage great. He was both lawyer and business man and pre-eminent in both fields. His sudden taking off came as a great shock to me and I felt that I had lost one of the props which throughout practically my whole career had supported me.

I wish to add my tribute to the man and the lawyer whose qualities you have set forth so much better than lies in my power.

With best wishes,

Sincerely yours,

CLARENCE H. KELSEY.

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From R. Fulton Cutting

NEW YORK, N. Y., *February 17, 1922.*

DEAR MR. AUERBACH:—Your sympathetic tribute to Mr. Davies presents the portraiture of a singularly lovable personality. My relations with him were not intimate; but his genial greeting when we met, and the native faculty of inspiring respect which accompanied his courteous manner, made me value his acquaintance highly. Dignity, with affability, is a winning quality, and there are not many who possess it in the degree of Mr. Davies.

In his death the Bar lost an ornament to the profession, and his associates a gifted and cherished friend.

Very sincerely yours,

R. FULTON CUTTING.

From Arthur D. Weekes

NEW YORK, N. Y., *March 16, 1922.*

MY DEAR MR. AUERBACH:—On my return from a trip abroad I found awaiting me your touching and interesting Memorial of your late partner, Julien T. Davies. It

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brings back to me memories of many years. When I was admitted to the Bar in 1874 I started practice in my father's law firm, Weekes and de Forest, and it was shortly after this that I became acquainted with Julien T. Davies. His firm at that time were doing a very large real-estate business and I met him frequently in this practice. He always treated me with the greatest courtesy and consideration. Of late years we became brother anglers and I saw much of him on beautiful salmon rivers and at the Southside Sportsmen's Club, where we were both members. There is perhaps nothing in our lives more conducive to close intimacy and friendship than fishing. His death was a great shock to me and he will be much missed by many intimate friends.

Yours very sincerely,

ARTHUR D. WEEKES.

From The Hon. Moorfield Storey

BOSTON, MASS., April 11, 1922.

MY DEAR MR. AUERBACH:—I have read your memoir of Julien Davies with very

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great interest. You have painted the portrait of a great lawyer, true to the highest ideals of his profession, bringing to the practice of the law distinguished ability, unswerving fidelity, indefatigable industry and unfailing courtesy; and you have shown him not only a lawyer but a citizen of rare public spirit, ever ready to help when public service was required. Surely no one could ask a better memorial than this which your long and intimate relation with him as friend and partner has enabled you to write.

We were almost contemporaries at the Bar and I knew him for fifty years, but our relations were rather social than professional. I knew his charm of manner, but had little opportunity to see him as a lawyer. Once I acted for him in a matter which required attention in Boston, and at the very end of his career I was opposed to him in the final argument of an important case. I cannot therefore venture to add anything to the tributes of his associates at the Bar of New York, but it gives me

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great pleasure to find my judgment of him so amply confirmed by such witnesses. It is rarely that any lawyer leaves behind him such a reputation.

Sincerely yours,
MOORFIELD STOREY.

From Joseph H. Choate, Jr.

NEW YORK, N. Y., *April 12, 1922.*

MY DEAR MR. AUERBACH:—Your Memorial of Mr. Davies is an achievement. No form of literary work presents such difficulty in the way of avoiding the obvious, the literal, and, at the other end of the scale, the fulsome, as the short sketch of a great private career; and you have made the task seem easy.

I recall one incident of Mr. Davies' last years which well illustrates one of his highest qualities—his determination not to sink citizenship in advocacy. Asked by an important client to advise as to a bill before Congress, he was placed in a position in which by directing the immense weight of

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the client's influence against the bill he could readily have killed it. The proposed law might, though it probably would not, have hurt his client. Having ascertained so much many lawyers would have spent no further time on the matter, but would have taken the safe course forthwith. Not so Mr. Davies. He studied the bill. Becoming convinced of its public value he saw to it that his client became educated in the matter; and with your co-operation devised amendments satisfactory to the proponents of the bill, which converted his client from its potential enemy into a powerful supporter. If everyone practiced law in this spirit, what a profession ours would be!

Yours very truly,

JOSEPH H. CHOATE, JR.

From John G. Milburn

NEW YORK, N. Y., April 19, 1922.

MY DEAR AUERBACH:—Your very beautiful tribute to Julien T. Davies is true to the man in all his aspects. As I read it I

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felt his presence as if there had been no break in our vivid companionship. Your estimate of him is finely measured and without a note of exaggeration.

It was my privilege to know him quite intimately for many years,—at the Bar, in society, and in the intercourse of a warm friendship. His distinction as a lawyer was apparent from the esteem in which he was held. It was the product of the abilities, training, experience and attainments manifested in his work in the courts and in his relations with clients as an adviser, and with his fellow lawyers in consultation. I remember my first association with him years ago in a very important and difficult case and the deep impression his breadth of mind, vision, knowledge of the law, untiring application and unfailing courtesy made upon me. I saw from that experience how justified his high position at the Bar was, and how it was his by right of honorable conquest in the devotion of his energies to his profession.

I am glad you emphasize the fact that

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the standards of a gentleman in the most comprehensive sense were a vital part of his equipment as a lawyer. This was evident in court and everywhere—in the language he wrote and spoke, in the dignity of his manners, in his aims and ideals, and in the traditions which were his by inheritance and the essence of his education. It is too rare a combination in these days of a vast and miscellaneous Bar.

All that you say concerning his spirit of public service and his loyalty to the duties of citizenship is the testimony of his visible record during the fifty years of his active career. It is a significant illustration that he attended the meeting in February, 1920, to commemorate the semi-centenary of the Association of the Bar of the City of New York, and spoke for the founders as one of the few survivors of that honorable body. To have been a founder in his early twenties and to have been chosen to deliver the address on their behalf at the commemoration ceremonies fifty years later show his prominence in the activities of the Asso-

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ciation. There is no finer tribute to those activities than his own memorable address on that occasion.

But the vision of him that endures most intimately with me is as the delightful host at his home on Long Island. He loved the place with all its possibilities of sport and entertainment. I prize the memories of a week-end visit I made him some years ago; the serenity of his life there, the gracious courtesy, the walks and his intimacies with all his possessions, animate and inanimate, the flow of interesting and varied conversation, the bountiful table, mainly supplied from the place itself,—all in all the perfection of hospitality and good-will.

We are all deeply grateful to you for your fine Memorial.

Sincerely yours,

JOHN G. MILBURN.

From Presiding Judge, John Proctor Clarke,

NEW YORK, N. Y., April 24, 1922.

MY DEAR MR. AUERBACH:—The architect when he passes on leaves behind him a Taj Mahal, a Parthenon, or a St. Peters.

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The painter leaves a Sistine Madonna, a Gilder, or a Boy Blue. The sculptor a young David, or a Venus de Milo; the poet a Rubaiyat, a Paradise Lost, or a Recessional. By their works ye shall know them. But the art of the actor, the liquid notes of the singer, and the forensic skill of the advocate live only in the memory of those who knew and heard them. So that, in my opinion, in preserving in permanent form for his friends the characteristics, the professional achievements, the varied interests, the uncomplaining courage under the buffetings of fate, the love of outdoors, and the warm personal friendships of your friend and partner, Mr. Julien T. Davies, you have not only paid a most tender and exquisite tribute to his memory, but you have given a vivid and permanent picture of the lawyer and the man.

I became acquainted with Mr. Davies shortly after I entered the practice of the law in this city, and I last saw him upon the interesting ceremony marking the fiftieth anniversary of the Association of

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the Bar of the City of New York, upon which occasion we both made addresses. His professional and his private life, his ability, his dignity, and his courtesy represent the highest type of the counselor, the advocate, and the public-spirited citizen. He was most fortunate in his memorialist, and I am grateful to you for sending to me this literary gem.

With sincere regards,

Very truly yours,

JOHN PROCTOR CLARKE.

From Chas. F. Choate, Jr.

BOSTON, MASS., *April 29, 1922.*

MY DEAR MR. AUERBACH:—I have read with a great deal of gratification your Memorial on Julien T. Davies.

It was my privilege to be associated with Mr. Davies in litigation in Boston some years ago, and that led to a friendship which continued until the end of Mr. Davies' life.

He was a most delightful and inspiring senior in the causes in which I was asso-

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ciated with him. His long experience and great ability in the conduct of causes in court were of immense assistance and he was ideal in his relations to junior counsel, desiring them to take the principal responsibility and leaving them free to exercise their own ingenuity if they had any, guided by his wise counsel. He was a man of charming courtesy and urbanity in his relations with younger men and left a very strong impression on my mind of strength and wisdom and skill, all tempered with a keen desire to help younger men who might be associated with him.

Sincerely yours,

CHAS. F. CHOATE, JR.

From Patrick Francis Murphy

NEW YORK, N. Y., *May 14, 1922.*

DEAR MR. AUERBACH:—Out of the fulness of my heart while the impulse is still fresh, let me thank you for having written your tribute to the late Mr. Davies. He is gone; but your just and eloquent Memorial brings him back to us. He still lives in

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our hearts—simple, courteous, delightful and unaffected. Your Book will be placed in my library beside other literary gifts of yours, which I have assimilated and quoted.

Out of the workshop of the Almighty called Chance, he came, like many great men who shine in our memory. They are the roses in December. Someone said: "God gives us memory so that we might have roses in December."

With deep affection, I am,

Your friend,

PATRICK FRANCIS MURPHY.

From William M. Wood

ANDOVER, MASS., *June 2, 1922.*

DEAR MR. AUERBACH:—You have done a fine thing in picturing Mr. Davies as the fine citizen and devoted friend as well as the distinguished lawyer and man of the world.

As one of his admirers and close associates for many years I thank you for your heartening Memorial. I am in your debt, as are all his friends.

Yours very sincerely,

WM. M. WOOD.

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From Judge Almet F. Jenks

NEW YORK, N. Y., *July 19, 1922.*

MY DEAR MR. AUERBACH:—In your own exquisite English you have written but the plain truth of Mr. Davies.

His love of law was inherited. His love of justice was innate. With grace and without guile he was a pattern for all lawyers. Even his modesty could not conceal his merit, and so he came to a leadership at our Bar.

We give him but his due when we hold him in the highest respect as a lawyer and in the greatest affection as a man.

I am,

Sincerely yours,

ALMET F. JENKS.

THE END

**This book is under no circumstances to be
taken from the Building**

[illegible]



